

Lakes-St. Lawrence project; to the Committee on Rivers and Harbors.

6916. By Mr. STRONG of Kansas: Petition of voters of Salina, Kans., urging enactment of Civil War pension bill; to the Committee on Invalid Pensions.

6917. By Mr. SWING: Petition of certain residents of Highland, Calif., protesting against the passage by Congress of House bill 10311, or any other bill enforcing the observance of the Sabbath, or upon the subject of religion; to the Committee on the District of Columbia.

6918. Also, petition of certain residents of San Diego, Calif., urging the passage by Congress of legislation granting increased pensions to Civil War veterans and the widows of Civil War veterans; to the Committee on Invalid Pensions.

6919. By Mr. TEMPLE: Petition of members of the United Presbyterian Church of West Alexander, Washington County, Pa., in support of the Lankford Sunday rest bill; to the Committee on the District of Columbia.

6920. By Mr. TILLMAN: Petition of H. C. Jones and many other citizens of the third congressional district of Arkansas, praying for early and more liberal pension laws; to the Committee on Invalid Pensions.

6921. By Mr. TINCHER: Petition of sundry residents of Ford County, Kans., urging the passage of a Civil War pension bill for the relief of needy Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6922. By Mr. VESTAL: Petition of John O. Fisher et al., of Adams County, Ind., urging the passage of pension legislation; to the Committee on Invalid Pensions.

6923. By Mr. WOLVERTON: Petition of Velda Baker and other residents of Doddridge County, W. Va., urging that immediate action be taken on the bill now pending in Congress for the relief of Civil War widows; to the Committee on Invalid Pensions.

6924. Also, petition of Franklin Frame and other residents of Braxton County, W. Va., urging that immediate action be taken on the bill now pending in Congress for the relief of Civil War widows; to the Committee on Invalid Pensions.

6925. By Mr. WOOD: Petition signed by residents of Gary, Ind., asking that Civil War pension bill become a law at the present session of Congress; to the Committee on Invalid Pensions.

SENATE

THURSDAY, February 17, 1927

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

O Lord, our God, Thou knowest our ways; Thou understandest our thought afar off. There is nothing connected with our lives with which Thou art not fully acquainted. We humbly beseech of Thee that in our thoughts, in our words, and in our actions we may fulfill Thy good pleasure. Grant unto us increasing knowledge and guide us continually till the day is done and the record is complete. We ask in Jesus Christ's name. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Tuesday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Frazier	McLean	Sheppard
Bayard	Gerry	McMaster	Shipstead
Bingham	Gillett	McNary	Shortridge
Blease	Glass	Mayfield	Smith
Borah	Goff	Means	Smoot
Bratton	Gooding	Metcalf	Steck
Broussard	Gould	Moses	Stephens
Bruce	Greene	Neely	Stewart
Cameron	Hale	Norris	Swanson
Capper	Harrell	Nye	Trammell
Caraway	Harris	Oddie	Tyson
Copeland	Harrison	Overman	Underwood
Couzens	Hawes	Phipps	Wadsworth
Curtis	Heflin	Pine	Walsh, Mass.
Dale	Howell	Pittman	Warren
Deneen	Johnson	Ransdell	Watson
Dill	Jones, Wash.	Reed, Mo.	Wheeler
Edge	Kendrick	Reed, Pa.	Willis
Ernst	Keyes	Robinson, Ark.	
Ferris	La Follette	Robinson, Ind.	
Fess	Lenroot	Sackett	
Fletcher	McKellar	Schall	

Mr. KENDRICK. I desire to announce the absence of the Senator from Oregon [Mr. STANFIELD] and the Senator from Montana [Mr. WALSH], both of whom are engaged in the work of the Committee on Public Lands and Surveys.

The VICE PRESIDENT. Eighty-four Senators having answered to their names, a quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 68. An act authorizing Dominic I. Murphy, consul general of the United States of America, to accept a silver fruit bowl presented to him by the British Government;

S. 545. An act for the payment of damages to certain citizens of New Mexico caused by reason of artificial obstructions to the flow of the Rio Grande by an agency of the United States;

S. 598. An act for the relief of Alexander McLaren;

S. 612. An act for the relief of Elizabeth Wooten;

S. 867. An act authorizing the Secretary of the Treasury to pay the Columbus Hospital, Great Falls, Mont., for the treatment of disabled Government employees;

S. 1304. An act for the relief of Hunter-Brown Co.;

S. 1456. An act authorizing the Court of Claims of the United States to hear and determine the claim of H. C. Ericsson;

S. 1860. An act for the relief of F. G. Proudfoot;

S. 2302. An act for the relief of Elisha K. Henson;

S. 2618. An act for the relief of the National Surety Co.;

S. 3064. An act for the relief of the Capital Paper Co.;

S. 3462. An act for the relief of Homer H. Hacker;

S. 3918. An act for the relief of Robert R. Bradford;

S. 4268. An act for the relief of H. W. Krueger and H. J. Selmer, bondsmen for the Green Bay Dry Dock Co., in their contract for the construction of certain steel barges and a dredge for the Government of the United States;

S. 4669. An act for the relief of the Kentucky-Wyoming Oil Co. (Inc.);

S. 4756. An act for the relief of Capt. Ellis E. Haring and Edward F. Batchelor;

S. 4933. An act authorizing an appropriation for public highways in the Virgin Islands of the United States;

S. 4943. An act for the relief of George H. Cecil;

S. 5084. An act to provide for the payment of the amount of an adjusted-service certificate to Irving D'Forrest Parks, beneficiary designated by Corp. Steve McNeil Parks, deceased; and S. 5622. An act authorizing the acceptance by the Navy Department of a site for an aviation training field in the vicinity of Pensacola, Fla., and for other purposes.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 1155. An act for the relief of Margaret Richards;

S. 1515. An act to extend the benefits of the employees' compensation act of September 7, 1916, to Daniel S. Glover;

S. 1899. An act for the relief of the Delaware River Towing Line;

S. 2090. An act for the relief of Alfred F. Land;

S. 2353. An act to amend the military record of Leo J. Pourciau;

S. 2474. An act for the relief of the Riverside Contracting Co.;

S. 2619. An act for the relief of Oliver J. Larkin and Lona Larkin;

S. 2770. An act to confer United States citizenship upon certain inhabitants of the Virgin Islands and to extend the naturalization laws thereto; and

S. 2899. An act for the relief of the owner of the American steamship *Almirante* and owners of the cargo laden aboard thereof at the time of her collision with the U. S. S. *Hisko*.

The message further announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 1339. An act for the relief of Katherine Southerland; and

S. 1517. An act authorizing and directing the Secretary of the Treasury to pay to W. Z. Swift, of Louisa County, Va., the insurance due on account of the policy held by Harold Rogis.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 724. An act for the relief of Capt. Norman D. Cota;

H. R. 780. An act for the relief of J. S. Corbett;

H. R. 1133. An act for the relief of John G. Pauley;

H. R. 1141. An act to correct the military record of John Dewitt Marvin;

H. R. 1595. An act for the relief of Fannie Kravitz;

H. R. 1691. An act for the relief of Henry F. Downing;
 H. R. 1842. An act for the relief of John Costigan;
 H. R. 2589. An act for the relief of Archie O. Sprague;
 H. R. 2718. An act for the relief of M. F. Snider;
 H. R. 3295. An act for the relief of Sherman P. Browning;
 H. R. 4321. An act authorizing the redemption by the United States Treasury of 20 war-savings stamps (series of 1918) now held by Dr. John Mack, of Omaha, Nebr.;
 H. R. 5089. An act for the relief of Christine Mygatt;
 H. R. 5449. An act for the relief of James E. Westcott;
 H. R. 5548. An act to correct the military record of Clarence G. Stonestreet;
 H. R. 5642. An act for the relief of David E. Goodwin;
 H. R. 5921. An act for the refund of money erroneously collected from Thomas Griffith, of Peach Creek, W. Va.;
 H. R. 6057. An act for the relief of George Boiko & Co. (Inc.);
 H. R. 7153. An act authorizing the President to appoint J. H. S. Morison to the position and rank of major, Medical Corps, in the United States Army;
 H. R. 7540. An act for the relief of Edward F. Weiskopf;
 H. R. 8477. An act for the relief of Frank J. Dwyer;
 H. R. 8739. An act for the relief of Lim Toy, of the city of Boston, Mass.;
 H. R. 9063. An act for the relief of Marie Yvonne Gueguinou;
 H. R. 9163. An act for the relief of Margaret T. Head;
 H. R. 9211. An act to prescribe certain of the qualifications of voters in the Territory of Alaska, and for other purposes;
 H. R. 9226. An act to reimburse Dr. Philip Suriani;
 H. R. 9318. An act authorizing the President to appoint James B. Dickson a second lieutenant of the Air Service in the Regular Army of the United States;
 H. R. 9427. An act for the relief of Gilbert B. Perkins;
 H. R. 9515. An act for the relief of R. P. Biddle;
 H. R. 9666. An act to correct the military record of Owen J. Owen;
 H. R. 9738. An act to correct the military record of Richard Brannan;
 H. R. 9804. An act for the relief of the Pacific Steamship Co., of Seattle, Wash.;
 H. R. 10380. An act to remove the charge of desertion against Israel Brown and to grant him an honorable discharge;
 H. R. 10422. An act for the relief of William J. O'Brien;
 H. R. 10447. An act for the relief of First Lieut. Walter T. Wilsey;
 H. R. 10496. An act for the relief of John A. Thornton;
 H. R. 10953. An act for the relief of William Perkins;
 H. R. 11064. An act for the relief of R. W. Hilderbrand;
 H. R. 11110. An act for the relief of George Caldwell;
 H. R. 11542. An act for the relief of James M. Winston;
 H. R. 11852. An act for the relief of M. Tillery and Mrs. V. D. Tillery;
 H. R. 11929. An act to authorize the Secretary of the Interior to sell to Sylvester Troth Smith, Horace Smith, Robert Hill Smith, Mary Smith De Jean, Mary Ellen Smith, and W. C. Scott, in possession under mesne conveyances from Leroy Stafford, section 48, township 1 south, range 2 east, and section 38, township 1 north, range 2 east, Louisiana meridian, Rapides Parish, La.;
 H. R. 12038. An act to correct the military record of Edward Delaney;
 H. R. 12334. An act for the relief of W. Randall Spurlock;
 H. R. 12388. An act for the relief of K. I. Ward;
 H. R. 12404. An act for the relief of Shadyside Bank;
 H. R. 12569. An act for the relief of Thomas F. Nicholas;
 H. R. 12818. An act for the relief of Charles Beretta, Isidore J. Proulx, and John J. West;
 H. R. 12859. An act for the relief of Thomas Murphy;
 H. R. 12903. An act for the relief of Abraham H. Tompkins;
 H. R. 12936. An act for the relief of Bert H. Libbey, alias Burt H. Libbey;
 H. R. 12963. An act for the relief of Adam B. Ackerman, alias Aunkerman;
 H. R. 13004. An act for the relief of John G. Cassidy;
 H. R. 13143. An act for the relief of the Charlotte Chamber of Commerce and Capt. Charles G. Dobbins, Army disbursing officer;
 H. R. 13144. An act for the relief of the Sanitarium Co., of Portland, Ore.;
 H. R. 13971. An act for the relief of Ruth J. Walling;
 H. R. 14071. An act for the relief of Garfield Hankins;
 H. R. 14179. An act for the relief of Roland M. Baker;
 H. R. 14591. An act authorizing the President to appoint William V. Pruett to the position and rank of major, Medical Corps, in the United States Army;
 H. R. 14794. An act for the relief of Daniel Mangan;

H. R. 14895. An act to provide for the reinstatement of Warren M. Hendricksen in the United States Military Academy;
 H. R. 15018. An act validating certain applications for, and entries of public lands;
 H. R. 15252. An act to provide relief for certain natives of Borongan, Samar, Philippine Islands, for rental of houses occupied by the United States Army during the years 1900 to 1903;
 H. R. 15253. An act for the relief of certain officers and former officers of the Army of the United States;
 H. R. 15432. An act to correct the military record of Curtis P. Wise;
 H. R. 15624. An act for the relief of Andrew McLaughlin;
 H. R. 15863. An act for the relief of the widow of Warren V. Howard;
 H. R. 16058. An act for the relief of certain officers of the Army of the United States;
 H. R. 16155. An act for the validation of the acquisition of Canadian properties by the War Department and for the relief of certain disbursing officers for payments made thereon;
 H. R. 16183. An act granting relief to Thomas M. Livingston;
 H. R. 16442. An act for the relief of Ira E. King;
 H. R. 16952. An act to ratify and confirm act No. 3243 of the Philippine Legislature, approved November 27, 1925; and H. J. Res. 99. Joint resolution for the relief of a special disbursing agent of the Alaskan Engineering Commission (the Alaska Railroad).

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were thereupon signed by the Vice President:

S. 5259. An act granting permission to Maj. Charles Beatty Moore, United States Army, to accept the following decorations, namely, the Legion of Honor, tendered him by the Republic of France, and the officers' cross of the order Polonia Restituta, tendered him by the Republic of Poland; and
 H. R. 11803. An act to authorize the incorporated town of Juneau, Alaska, to issue bonds for the construction and equipment of schools therein, and for other purposes.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of the State of North Carolina, favoring the passage of legislation safeguarding the interests of the people of North Carolina and of other States likewise situated by providing that all power at Muscle Shoals, beyond the requirements for national defense and fertilizer production, and also power to be developed by the United States at other power sites in the South, be made available for general distribution to the public in North Carolina and other States, under appropriate regulations by the States, which was referred to the Committee on Agriculture and Forestry. (See resolution printed in full when presented by Mr. SIMMONS on yesterday, p. 3933, CONGRESSIONAL RECORD.)

Mr. LA FOLLETTE presented petitions of sundry citizens in the State of Wisconsin, praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. BRUCE presented a petition of sundry citizens of the State of Maryland, praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

Mr. DILL presented memorials of sundry citizens of Spokane, Fruitland, and Davenport, all in the State of Washington, remonstrating against the passage of the bill (S. 4821) to provide for the closing of barber shops in the District of Columbia on Sunday, which were referred to the Committee on the District of Columbia.

Mr. BINGHAM presented a petition signed by 277 citizens of New Haven, Conn., praying for the prompt passage of legislation regulating radio broadcasting, which was ordered to lie on the table.

Mr. OVERMAN presented a concurrent resolution of the Legislature of the State of North Carolina, favoring the passage of legislation safeguarding the interests of the people of North Carolina and of other States likewise situated by providing that all power at Muscle Shoals, beyond the requirements for national defense and fertilizer production, and also power to be developed by the United States at other power sites in the South, be made available for general distribution to the public in North Carolina and other States, under appropriate regulations by the States, which was referred to the Committee on Agriculture and Forestry. (See resolution printed in full when presented by Mr. SIMMONS on yesterday, p. 3933, CONGRESSIONAL RECORD.)

Mr. COPELAND presented petitions numerous signed by sundry citizens of the State of New York, praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. GILLET presented a petition of sundry citizens of the State of Massachusetts, praying such amendment of the Constitution as shall suitably acknowledge the authority of Christ and the law of God therein, which was referred to the Committee on the Judiciary.

LOANS ON ADJUSTED-COMPENSATION CERTIFICATES

Mr. REED of Pennsylvania. Mr. President, I send to the desk and ask to have referred to the Committee on Finance and embodied in the Record, without reading, a statement from the Veterans' Bureau showing the number of loans to veterans on their adjusted-compensation certificates during the month of January of this year.

There being no objection, the statement was ordered to be printed in the Record and referred to the Committee on Finance, as follows:

Statement showing by States (1) number of banks making loans on adjusted-compensation certificates, (2) number of loans made, and (3) total amount loaned during the month of January, 1927

State	Number of banks	Number of loans	Amount of loans
Alabama.....	48	3,616	\$299,595.13
Arizona.....	7	781	78,745.68
Arkansas.....	92	4,179	342,828.04
California.....	224	13,385	1,381,719.47
Colorado.....	45	1,948	189,145.15
Connecticut.....	65	1,781	174,681.59
Delaware.....	22	615	60,572.55
District of Columbia.....	24	2,181	201,543.57
Florida.....	37	2,594	236,039.42
Georgia.....	40	1,616	153,991.97
Idaho.....	38	531	51,344.74
Illinois.....	378	14,259	1,289,042.99
Indiana.....	184	5,830	516,396.73
Iowa.....	186	2,233	205,030.65
Kansas.....	99	656	64,552.71
Kentucky.....	70	2,390	219,913.70
Louisiana.....	22	447	40,072.60
Maine.....	74	1,464	146,734.18
Maryland.....	60	6,412	609,576.27
Massachusetts.....	187	9,286	946,658.53
Michigan.....	153	10,434	939,312.27
Minnesota.....	199	5,084	594,169.72
Mississippi.....	30	1,055	90,518.54
Missouri.....	161	3,773	349,659.54
Montana.....	42	236	24,566.03
Nebraska.....	56	1,689	165,280.83
Nevada.....	3	84	7,638.00
New Hampshire.....	43	581	58,658.26
New Jersey.....	198	5,133	395,428.59
New Mexico.....	13	297	27,985.11
New York.....	316	9,694	1,003,711.00
North Carolina.....	43	597	62,159.86
North Dakota.....	58	321	32,360.68
Ohio.....	230	8,718	814,348.60
Oklahoma.....	103	2,984	276,257.78
Oregon.....	56	871	83,663.82
Pennsylvania.....	482	10,699	1,031,267.87
Rhode Island.....	28	1,943	195,986.26
South Carolina.....	29	1,472	125,545.97
South Dakota.....	44	524	49,036.73
Tennessee.....	37	736	65,374.98
Texas.....	183	5,850	602,634.50
Utah.....	10	278	29,916.14
Vermont.....	30	247	24,454.63
Virginia.....	52	1,086	101,707.32
Washington.....	91	1,513	140,709.07
West Virginia.....	45	621	58,024.43
Wisconsin.....	153	3,460	320,280.58
Wyoming.....	21	252	25,040.18
Canal Zone.....	1	1	125.00
Territory of Hawaii.....	1	1	119.00
Total.....	4,813	157,338	14,905,027.56

ORDER FOR SESSION ON MONDAY EVENING

Mr. SMOOT. Mr. President, I ask unanimous consent that the Senate shall meet at 8 o'clock on Monday evening next for the purpose of considering Calendar No. 135, the bill (H. R. 10729) to create a bureau of customs and a bureau of prohibition in the Department of the Treasury, and that that bill be the only business considered during the evening session.

The VICE PRESIDENT. Is there objection?

Mr. BRUCE. Mr. President, I regret very much that it is impossible for me to unite in the unanimous-consent proposal. I happen to know that the Senator from New Jersey [Mr. EDWARDS], if he were here, would not give his consent, because he so stated the other night. Therefore, I object.

Mr. MOSES. Mr. President, would the Senator from Maryland object if we divided the time between the bill to which the Senator from Utah refers and the Boulder Dam bill?

Mr. BRUCE. I am not objecting on my own account; so far as the bill is concerned I am perfectly willing that it should come up and be disposed of with the amendments to which the Senator from Utah [Mr. SMOOT] has agreed; but I know, of course, that the Senator from New Jersey said the other night that he would not enter into any agreement about it, and I feel that, as he is my desk mate, it is my duty to make the objection on his behalf.

Mr. SMOOT. Does the Senator know whether the Senator from New Jersey is in the city?

Mr. BRUCE. I do. He is.

Mr. SMOOT. The Senator from Maryland would not have any objection if I am able to get the consent of the Senator from New Jersey?

Mr. BRUCE. I have no objection to the consideration of the bill with the amendments agreed to, which the Senator from Utah promised to accept; but I am bound to object in the absence of the Senator from New Jersey. He will probably be here in a few minutes. I suggest that the Senator from Utah renew the request then.

Mr. SMOOT. Very well; I will withdraw the request and renew it when the Senator from New Jersey is here.

Mr. WALSH of Massachusetts. Mr. President, I suggest that we also take up on that occasion the bill authorizing loans by the Veterans' Bureau to the veterans of the World War.

Mr. SMOOT. I think it will take an evening for the bill to which I have referred, and I did not want to have anything else taken up the same evening.

Mr. WALSH of Massachusetts. I suggest to the Senator that if he had such a bill as the one I indicate to follow the one which he desires to have taken up, it would insure a full evening.

Mr. ROBINSON of Arkansas. Mr. President, I think the suggestion of the Senator from Massachusetts is a good one.

Mr. SMOOT. I shall be glad to accept it.

Mr. ROBINSON of Arkansas. Both bills are entitled to consideration. The bill relating to prohibition enforcement has been pending on the calendar for a long time, and the bill providing for loans to veterans on their certificates is likewise entitled to consideration, because the sentiment prevailing in the Senate is in favor of the enactment of such legislation.

Mr. BRUCE. So, too, has the French spoliation claims bill.

Mr. MOSES. Yes; that has been pending an equal length of time.

Mr. ROBINSON of Arkansas. I am in sympathy with the Senator from Maryland in his efforts to get consideration of that bill, but I will say to him that there is a wide diversity of sentiment respecting the French spoliation claims bill.

Mr. BRUCE. I know that is true, and I am afraid, so far as the Senator from Arkansas is concerned, that his sympathy with the bill is a case of faith without works.

Mr. SMOOT. I withdraw my request.

Mr. ROBINSON of Arkansas. Mr. President, I think I ought to be permitted to reply to the Senator from Maryland. I myself at one time reported the French spoliation claims bill from the Committee on Claims and made a persistent effort to get consideration of it, not on the theory that the bill necessarily should be passed, on the theory that the issue involved in the bill should be determined. The practice has prevailed for a long time of leaving undecided over a long period measures which are presented. I think the Senate should vote on the French spoliation claims bill.

Mr. BRUCE. I thank the Senator.

Mr. ROBINSON of Arkansas. I think, in view of the record in the matter to which I have just referred, the allusion of the Senator from Maryland is hardly justified.

Mr. BRATTON. Mr. President, I desire to supplement what has been said in regard to the bill to authorize the Veterans' Bureau to make loans to ex-service men by stating in this connection that on February 3 my colleague, the senior Senator from New Mexico [Mr. JONES], introduced a bill proposing to repeal the last clause of paragraph 7 of section 202 of the World War veterans' act of 1924, that being the provision which fixes the compensation due to an ex-service man at \$40 per month during the time he is in a hospital. It becomes effective after June 30.

I intend to offer that bill as an amendment to the bill authorizing loans to veterans. In so doing I shall act on behalf of my colleague, who is ill, and supplement that with my personal views on the subject. My colleague gave notice some days ago—prior to his illness—that he intended to offer the bill as an amendment to the veterans' loan bill, and since he can not do so I shall do it for him. I give notice to the chairman of the committee and to Senators generally of my intention to propose the amendment.

Mr. SMOOT. Mr. President, I sent the bill down to the Veterans' Bureau of the Treasury Department in order to obtain a report from General Hines. Before I left my office this morning the report of General Hines on the bill was handed to me. From that report it appears that it will cost about \$2,300,000 a year if we shall accept the amendment and put it into operation.

Mr. BRATTON. Mr. President, I can not agree with the Senator from Utah.

Mr. CURTIS. Mr. President, I do not like to interrupt, but can we not proceed with the morning business, and argue this matter out when morning business shall have been concluded and the subject is properly before the Senate? I ask for the regular order.

The VICE PRESIDENT. The regular order is the presentation of petitions and memorials.

[At this point routine morning business was transacted, which appears under the proper heading.]

Mr. ASHURST. Mr. President, a parliamentary inquiry. The unanimous-consent agreement asked for was not entered into?

The VICE PRESIDENT. It was not entered into.

Mr. ASHURST. Then I renew the request that House bill 16886—that is, the veterans' loan bill—be considered on Monday evening commencing at 8 o'clock.

The VICE PRESIDENT. Is there objection to the request for unanimous consent of the Senator from Arizona?

Mr. MOSES. That was not the suggestion of the Senator from Utah [Mr. Smoot].

Mr. ASHURST. But it is my suggestion.

Mr. MOSES. The Senator from Arizona said he renewed the request.

Mr. ASHURST. But I can change the form of the request in renewing it.

Mr. BRATTON. Mr. President, I join the Senator from Utah in proposing the unanimous-consent request.

Mr. ASHURST. Let us buckle up one thing at a time; let us have the unanimous-consent agreement entered into before we take up anything else.

Mr. MOSES. What is the form of the request in which the Senator from Arizona presents it?

Mr. ASHURST. I will defer to the Senator from Utah to prefer his own request for unanimous consent.

Mr. SMOOT. Mr. President, the Senator from New Jersey [Mr. Edwards] is now in the Chamber. Will the Senator from Arizona allow me to renew the request, as I stated I would present it when the Senator from New Jersey should return?

Mr. BLEASE. I should like to ask the Senator from Utah does the bill to which he refers place all prohibition officers into the civil service?

Mr. SMOOT. The bill as it came from the House, I will say to the Senator, places all of them under the civil service.

Mr. BLEASE. I object to that.

Mr. SMOOT. That matter can be thrashed out when the bill is up for consideration. The Senator from Maryland [Mr. Bruce] has already given notice that he is going to ask to strike that provision out.

Mr. BLEASE. We have had enough of that situation down in my State with civil service and I do not want any more of it. I object.

Mr. BRATTON. In view of the objection made by the Senator from South Carolina, will not the Senator from Utah propose that we have an evening session on Monday to consider the veterans' loan bill?

Mr. SMOOT. I have no objection, Mr. President, to a night session on next Monday for that purpose; but I had hoped that we would get an agreement to consider both bills under one unanimous-consent request.

I will say to the Senator from South Carolina that as to the first amendment which was offered by the Senator from Maryland [Mr. Bruce], I am perfectly willing that the Senate shall reconsider it, and, if it would be agreeable to the Senator from Maryland, not agree to it. I think that would be perfectly satisfactory, because the employees in question fall under the civil service, anyway, as I stated to the Senator from Maryland.

There was another amendment offered to the reorganization bill—

Mr. BORAH. Mr. President, I do not see why we should not dispose of morning business, and I am going to insist that we do so. Then we can take up requests for unanimous-consent agreements.

The VICE PRESIDENT. The Senator from Idaho asks for the regular order. Reports of committees are in order.

Mr. ASHURST. Mr. President, I ask unanimous consent that at 8 o'clock on Monday evening the Senate shall proceed to the consideration of House bill 16886.

SEVERAL SENATORS. Regular order!

Mr. ASHURST. Let me state my request, please. I ask unanimous consent that at 8 o'clock on Monday evening next the Senate shall proceed to the consideration of House bill 16886, to authorize the Director of the United States Veterans' Bureau to make loans to veterans upon the security of adjusted-service certificates.

Mr. BORAH. Mr. President, I call for the regular order.

The VICE PRESIDENT. The regular order is called for.

Mr. ASHURST. I wish to know who objected?

Mr. BORAH. If there is any necessity for stating it, I will say that I objected.

Mr. ASHURST. That is all I wish to know.

Mr. BORAH. Very well.

The VICE PRESIDENT. Reports of committees are in order. After reports of committees, which appear following the agreement, had been received,

Mr. CURTIS. Mr. President, I ask unanimous consent that on Monday afternoon, at not later than 5 o'clock the Senate shall take a recess until 8 o'clock, at which time it shall reconvene, the evening session to continue not later than 11 o'clock p. m., and that at the evening session House bill 16886, to authorize the Director of the United States Veterans' Bureau to make loans to veterans upon the security of adjusted-service certificates shall be taken up, and if that shall be disposed of, then House bill 15009, the alien property bill, shall be taken up and proceeded with until 11 o'clock.

The VICE PRESIDENT. Is there objection?

Mr. BRUCE. Mr. President, before I give my consent I want to know what sort of provision is going to be made for measures on the calendar. Day by day the session is drawing rapidly to a close and no sort of chance is given to those of us interested in other measures. We do not know whether or not we are ever going to have an opportunity of obtaining a hearing for those measures.

Mr. CURTIS. After we complete the consideration of the pending appropriation bill, it is the intention to adjourn at the conclusion of business each day or as often as may be possible so as to give every Senator an opportunity in the morning hour the next day to call up measures on the calendar. When there is no unfinished business a bill which may be under consideration at 2 o'clock will become the unfinished business. We are going to try to give every Senator a chance as soon as the appropriation bill is out of the way.

Mr. BRUCE. We never have any opportunity during the morning hour. I have been watching what occurs during the morning hour, and I have discovered that always some motion or resolution or debate consumes the entire time and makes it impossible to call up any measure that requires any real degree of consideration. If it is the intention of the leaders on the other side to have night sessions at which we will have a chance to bring up measures in which we are interested, that is a different matter.

Mr. CURTIS. Mr. President, I was going to state that it was my intention to ask for other night sessions next week. I have been requested not to ask for night sessions this week by at least 20 Senators. That is the reason why I have not asked for such sessions.

Mr. BRUCE. That is because Senators are interested in pet measures of their own. They want to bring those measures up, but do not care what becomes of the others.

Mr. CURTIS. It is because they have engagements which make it impossible for them to be here at night during the present week.

Mr. President, I renew my request. I hope there will be no objection to it.

Mr. WALSH of Massachusetts. Mr. President, will the Senator from Kansas state the request again?

Mr. CURTIS. That on Monday night we have a session from 8 until 11 o'clock to take up the bill to authorize the making of loans on the certificates of veterans of the World War, and that we afterwards take up the alien property bill.

Mr. WALSH of Massachusetts. I hope the Senator's request will be agreed to.

Mr. ROBINSON of Arkansas. Mr. President, I think I ought to say that the two bills which are embraced in this request are both measures that meet with the concurrence of a large number of Senators. They certainly ought to be considered and, if possible disposed of by the Senate prior to the adjournment.

There are a large number of measures on the calendar which will not be reached. So far as I am concerned, I wish some arrangement could be effected by which every bill that has substantial support here might be disposed of. It does seem to

me that the bill in which the Senator from Maryland [Mr. BRUCE] is primarily interested should be acted on.

Mr. BRUCE. I thank the Senator.

Mr. ROBINSON of Arkansas. It has been pending in the Senate for a great many years. There are a large number of Senators who think that it is a meritorious measure. There are some others who think it is without merit. The only way I know to reach a conclusion is to take a vote on the bill after reasonable opportunity for discussion; but I suggest to the Senator from Maryland, who has made many efforts to have the French spoiliations claims bill voted upon, that we would not be justified in denying the veterans' loan bill and the alien property bill their opportunities because it has not been found possible or practicable to arrange for a vote on the spoiliations claims bill.

Mr. BRUCE. I agree with the Senator about that.

Mr. ROBINSON of Arkansas. I hope, therefore, that the Senator will let this agreement be made; and, notwithstanding his apparent lack of confidence in my sincerity when I say that I should like to have the spoiliations claims bill taken up and acted upon, I will say now that throughout many years I have advocated a final disposition of that bill, for the simple reason that it seems to me a manifestation of the inefficient conduct of business to have a measure favorably reported from committees over and over and never acted upon by the Senate. I am not trying to lecture anyone else as to what view he should take of these matters, but I am trying to make clear my own view regarding them.

The VICE PRESIDENT. Is there objection?

Mr. SMITH. Mr. President, before the question is put on the unanimous-consent request, I desire to ask the Senator from Kansas if it is his intention to restrict the meeting on Monday night to those two bills?

Mr. CURTIS. Yes; those two measures.

Mr. SMITH. And if they should be completed, then no other bills will be taken up that night?

Mr. CURTIS. No other business that night; but it is my intention early next week to ask for some night sessions for the consideration of bills on the calendar under Rule VIII.

Mr. SMITH. The reason why I rise now to make that inquiry is because, in justice to some of us who have bills on the calendar on which we think the Senate ought to take some action, I think we should be given a reasonable time, either during the morning hour or otherwise, for their consideration. I agree with the Senator from Maryland that the morning hour has too many possibilities of interruption to make it possible to accomplish work satisfactorily; but if we can be assured that we will have an opportunity at night sessions—

Mr. CURTIS. I will submit to-morrow an agreement for night sessions early next week for the consideration of bills on the calendar under Rule VIII.

Mr. SMITH. Very well.

Mr. BRUCE. Mr. President, allow me to say that I have not the slightest disposition to question the sincerity of the Senator from Arkansas. I do not know any Member of this body whose character is more strongly marked by perfect sincerity of motive and purpose than that of the Senator from Arkansas. Perhaps I did not say it in just the pleasant way that I should have done, but all I was disposed to say was that he was not quite as active and militant as I hoped he would be in pushing this measure. That suggestion may have led him to draw the inference he did; but my perfect faith in the sincerity of the Senator from Arkansas was demonstrated when I turned to him and asked him if he concurred with the Senator from Kansas in relation to the idea of holding night sessions to give some of these general measures on the calendar a chance; that is all.

Mr. HEFLIN. Mr. President, there are many important measures pending here that ought to be disposed of at this session, and the Muscle Shoals measure is one of them. It has been before the Senate for eight years or more. A bill on the subject is now before the Senate, favorably reported by the majority of the committee raised by a concurrent resolution; and at the time that bill went upon the calendar I gave notice that I should offer the American Cyanamid bid as a substitute for that measure when it was taken up by the Senate. We have been unable even to get consideration of that measure at this session of Congress. The subject matter of the bill has been here for eight long years. The Senator from Maryland now is trying to bring up here for consideration a measure that is over a hundred years old.

Mr. CURTIS. Mr. President—

Mr. HEFLIN. The whole Government, in its history for a hundred years, has opposed that measure. Presidents have denounced it with their vetoes, and Congress after Congress has refused to act favorably upon it. Why should we get in a

hurry and be stampeded here in the closing hours of the session to consider one of the most colossal frauds ever attempted to be perpetrated upon a free people, a hundred years old, hoary with age, condemned by Presidents and Congresses? Yet we are now holding up a measure to permit the poor ex-service men who went off and offered their lives to this country to get a little money on the miserable certificates that were handed to them in lieu of a cash bonus by the Congress. The Senator from Maryland was against the bonus bill, and now, as I understand this proposition, he is undertaking to set aside a time to consider these two measures in conjunction.

Mr. President, that ought not to be. Why should this body of death be tied to this ex-service measure? We ought not to permit that.

Mr. CURTIS. Mr. President—

Mr. HEFLIN. If Senators want to prevent legislation for the good of the ex-service men, let them stand up and take the responsibility of saying so.

Mr. CURTIS. Mr. President, they are not tied together. The veterans' bill is to be taken up first.

Mr. HEFLIN. I know; but they are to be considered on the same night. You are agreeing that this measure shall be considered on the same night.

SEVERAL SENATORS. Oh no!

Mr. CURTIS. Oh, no; the veterans' bill is to be taken up first, and then the alien property bill. The veterans' bill is first.

Mr. SMITH. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. SMITH. I desire to know whether the bill to which the Senator from Alabama refers is one of the two to be considered under the terms of the proposed unanimous-consent agreement.

Mr. ROBINSON of Arkansas. No; there is not even a request pending for its consideration.

Mr. HEFLIN. No; it is not to be considered with this bill, but the Senator from Maryland is demanding that his bill be considered at this session of Congress, and we are about to give consent to consider the ex-service men's claim; and I do not want any consent given to consider the bill of the Senator from Maryland that will tie itself up with the ex-service men's measure.

Mr. CURTIS. Nothing of that kind is proposed.

Mr. HEFLIN. I want that measure out of the way before any consideration is given to other matters.

Mr. ROBINSON of Arkansas. May I say to the Senator from Alabama that there is not even a proposal pending for the consideration of any bill, except the veterans' loan bill and the alien property bill.

The VICE PRESIDENT. Is there objection to the proposed unanimous-consent agreement?

Mr. BRUCE. Mr. President, allow me to say just one word.

I simply want to say that the statements of the Senator from Alabama are characterized by the usual measure of loose and lavish inaccuracy which marks pretty much all his speeches. I did not ask that any special favor be shown to this bill of mine. I asked that after these two measures—the superior importance of which I fully realize—are considered, that then the measures generally on the calendar be taken up.

As to my revamping claims a hundred years old, who is it but the Senator from Alabama who has attempted recently to revive in this body religious prejudices five or six hundred years old?

Mr. HEFLIN. I am going to speak again to-day and pay my respects to the Senator from Maryland.

Mr. BRUCE. I know the Senator will, because he never knows when he has spoken enough.

Mr. OVERMAN. Mr. President, I should like to make an inquiry as to whether the proposed unanimous-consent agreement provides for taking up the Veterans' Bureau bill first?

The VICE PRESIDENT. It does.

Mr. HEFLIN. That is my understanding.

The VICE PRESIDENT. Is there objection to the unanimous-consent request of the Senator from Kansas? The Chair hears none, and the agreement is entered into.

The agreement was reduced to writing, as follows:

Ordered, by unanimous consent, That on Monday, February 21, 1927, the Senate shall take a recess not later than 5 o'clock p. m. until 8 o'clock p. m. and that at the evening session, which shall not continue later than 11 o'clock p. m., the Senate shall proceed to the consideration of Calendar No. 1498 (H. R. 16886) "An act to authorize the Director of the United States Veterans' Bureau to make loans to veterans upon the security of adjusted service certificates."

It is further agreed that if the consideration of the foregoing bill is completed prior to 11 o'clock the Senate shall proceed to the consideration of the bill (H. R. 15009) to provide for the settlement of certain claims of American nationals against Germany and of Ger-

man nationals against the United States for the ultimate return of all property of German nationals held by the Alien Property Custodian, and for the equitable apportionment among all claimants of certain available funds.

REPORTS OF COMMITTEES

Mr. EDGE, from the Committee on Finance, to which was referred the bill (H. R. 16775) to limit the application of the internal revenue tax upon passage tickets, reported it without amendment and submitted a report (No. 1503) thereon.

Mr. BORAH, from the Committee on Foreign Relations, to which was referred the bill (S. 5449) to authorize a permanent annual appropriation for the maintenance of the Gorgas Memorial Laboratory, reported it without amendment and submitted a report (No. 1504) thereon.

Mr. WILLIS, from the Committee on Territories and Insular Possessions, to which was referred the joint resolution (H. J. Res. 96) to authorize the President to pay to surgeons employed on the Alaska Railroad such sums as may be due them under agreement with the Alaskan Engineering Commission or the Alaska Railroad, reported it without amendment and submitted a report (No. 1505) thereon.

Mr. SHORTRIDGE, from the Committee on Naval Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 5082) for the relief of David Barker (Rept. No. 1506); and

A bill (H. R. 8852) for the relief of Thomas Maley (Rept. No. 1507).

Mr. FESS, from the Committee on Interstate Commerce, to which was referred the bill (H. R. 12065) to amend the interstate commerce act and the transportation act, 1920, and for other purposes, reported it without amendment and submitted a report (No. 1508) thereon.

Mr. STANFIELD, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 9916) to revise the boundary of the Grand Canyon National Park in the State of Arizona, and for other purposes, reported it without amendment and submitted a report (No. 1509) thereon.

ENROLLED BILL PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on February 17, 1927, that committee presented to the President of the United States the enrolled bill (S. 5259) granting permission to Maj. Charles Beatty Moore, United States Army, to accept the following decorations, namely, the Legion of Honor tendered him by the Republic of France, and the officers' cross of the order Polonia Restituta tendered him by the Republic of Poland.

AMENDMENT OF INLAND WATERWAYS ACT

Mr. RANDELL. From the Committee on Commerce I report back favorably with an amendment the bill (S. 5671) to amend paragraph (c) of section 4 of the act entitled "An act to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the transportation act, and for other purposes," approved June 3, 1924.

I ask unanimous consent for the present consideration of the bill, which I think will take but one moment.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Commerce was, on page 2, line 5, after the word "detailed," to insert "at the date of the passage of this amendatory act," so as to make the bill read.

Be it enacted, etc., That paragraph (c) of section 4 of the act entitled "An act to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the transportation act, and for other purposes," approved June 3, 1924, be, and the same is hereby, amended to read as follows:

"(c) In addition to the six members, the Secretary of War shall appoint an individual from civil life, or (notwithstanding section 1222 of the Revised Statutes or any other provision of law, or any rules and regulations issued thereunder) detail an officer from the Military Establishment of the United States, as chairman of the board. Any officer so detailed at the date of the passage of this amendatory act shall, during his term of office as chairman, have the rank, pay, and allowances of a major general, United States Army, and shall be exempt from the operation of any provision of law or any rules or regulations issued thereunder which limits the length of such detail or compels him to perform duty with troops. Any individual appointed from civil life shall, during his term of office as chairman, receive a salary not to exceed \$10,000 a year, to be fixed by the Secretary of

War. The Secretary of War may delegate to the chairman any of the functions vested in the Secretary by this act."

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

Mr. WATSON. Mr. President, I should like very much to examine the provisions of the measure. I do not know what it is proposed to accomplish.

Mr. BORAH. I call for the regular order.

The VICE PRESIDENT. The regular order is called for. Reports of committees are in order.

Mr. RANDELL. I hope the Senator from Idaho will permit this bill to pass.

Mr. WATSON subsequently said: Mr. President, I have examined Senate bill 5671, which was reported a few moments ago by the Senator from Louisiana [Mr. RANDELL], and I withdraw my objection to its immediate consideration and passage.

Mr. RANDELL. Mr. President, I hope the bill will be immediately considered. I ask unanimous consent that that may be done. I will say that the bill has been unanimously reported by the committee.

Mr. NORRIS. Is that the bill to which the Senator from Idaho [Mr. BORAH] objected?

Mr. RANDELL. No; he did not object to the bill.

Mr. WATSON. I objected to the bill, but I will say to the Senator that I have investigated the bill and withdraw my objection.

The VICE PRESIDENT. If there be no objection, the question is on agreeing to the amendment of the committee, which has been stated.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

APPOINTMENTS TO FEDERAL OFFICE

Mr. KEYES. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report back with an amendment the resolution (S. Res. 338) to investigate the charges of barter and sale of political influence in connection with Federal appointments.

Mr. NORRIS. Mr. President, before the Senate takes up another matter, I ask unanimous consent for the present consideration of the resolution just reported by the Senator from New Hampshire [Mr. KEYES] from the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. MOSES. Mr. President, I shall be constrained to object to that. The junior Senator from Utah [Mr. KING] is not in the Chamber, and I understand he desires to be present when the resolution is considered.

Mr. NORRIS. The Senator from Kentucky—

Mr. MOSES. Then, following the example of the Senator from Idaho [Mr. BORAH], I shall object.

Mr. NORRIS. That is all right.

Mr. BORAH. All I wanted to do was to get through the morning business.

CLINCH RIVER BRIDGE, TENNESSEE

Mr. STEWART. From the Committee on Commerce I report back favorably four bridge bills, which are in the regular form, and I shall ask unanimous consent for their immediate consideration.

First I report back favorably without amendment the bill (S. 5603) granting the consent of Congress to the Department of Highways and Public Works of the State of Tennessee to construct a bridge across the Clinch River, approximately at Kyles Ford, on the Rogersville-Sneedville Road in Hancock County, Tenn., and I submit a report (No. 1499) thereon.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the department of highways and public works of the State of Tennessee, and its successors and assigns to construct, maintain, and operate a bridge and approaches thereto across the Clinch River at a point suitable to the interests of navigation and approximately at Kyles Ford on the Rogersville-Sneedville Road, in Hancock County, in the State of Tennessee, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH RIVER BRIDGE, VIRGINIA

Mr. STEWART. From the Committee on Commerce I also report back favorably without amendment the bill (S. 5585) to extend the time for construction of a bridge across the southern branch of the Elizabeth River, near the cities of Norfolk and Portsmouth, in the county of Norfolk, State of Virginia, and I submit a report (No. 1500) thereon.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the time for beginning and completing the construction of the bridge across the southern branch of the Elizabeth River, authorized by the act of Congress entitled "An act granting the consent of Congress to O. Emmerson Smith, F. F. Priest, W. P. Jordan, H. W. West, C. M. Jordan, and G. Hubard Massey to construct, maintain, and operate a bridge across the southern branch of the Elizabeth River, at or near the cities of Norfolk and Portsmouth, in the county of Norfolk, in the State of Virginia," approved May 22, 1926, be, and the same is hereby, extended to one and three years, respectively, from May 22, 1927.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE

Mr. STEWART. From the Committee on Commerce I report back favorably with amendments the bill (S. 5602) granting the consent of Congress to the city of Blair, in the State of Nebraska, or its assignees, to construct a bridge and approaches thereto across the Missouri River between the States of Nebraska and Iowa, and I submit a report (No. 1501) thereon.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill.

The amendments were, on page 2, line 9, after the word "in," to strike out "said" and insert "this"; and in section 2, page 2, line 12, before the word "lands," to strike out "the" and insert "upon," so as to make the bill read:

Be it enacted, etc., That the consent of Congress be, and hereby is, granted to the city of Blair, in the county of Washington, and State of Nebraska, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Nebraska, relative to cities of the second class, to construct, maintain, and operate a free highway bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation between a point in Washington County, State of Nebraska, and a point opposite in Harrison County, State of Iowa, south of the present railway bridge owned and operated by the Chicago & Northwestern Railway Co. as a part of its right of way between the city of Blair, Nebr., and the city of Missouri Valley, in the State of Iowa, in accordance with provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the said city of Blair, in Washington County, State of Nebraska, its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is located upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in condemnation and expropriation of property in such State.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OHIO RIVER BRIDGE

Mr. STEWART. Also from the Committee on Commerce I report back favorably without amendment the bill (H. R. 16888) granting the consent of Congress to the Paducah Board of Trade (Inc.), of Paducah, Ky., its successors and assigns, to construct,

maintain, and operate a bridge across the Ohio River, and I submit a report (No. 1502) thereon.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLAIMS COMMISSION BETWEEN THE UNITED STATES AND MEXICO

Mr. BORAH. From the Committee on Foreign Relations I report back favorably without amendment Senate Resolution 352, and ask unanimous consent for its immediate consideration. If it leads to debate, I will withdraw it.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read Senate Resolution 352, submitted by Mr. BORAH on the 15th instant, as follows:

Whereas it is provided by Article VI of the General Claims Convention, concluded between the United States and Mexico on September 8, 1923, that the commission created pursuant thereto to pass on claims to which the convention relates shall hear, examine, and decide within three years from the date of its first meeting all claims filed with it which arose prior to the signing of the convention, which period of time will expire on August 30, 1927; and

Whereas Article VIII of the convention provides that all such claims filed with the commission shall be considered and treated as fully settled, barred, and thenceforth inadmissible provided they have been heard and decided by the commission; and

Whereas it has been brought to the knowledge of the Senate that it will not be possible for the commission to hear, examine, and decide in the manner contemplated by the convention within the time specified by Article VI of the convention all the claims which have been filed with said commission in accordance with the terms of the convention; and

Whereas it is in the interest of both Governments fully to hear, judicially determine, and settle all such claims: Therefore be it

Resolved, That the President be, and is hereby, requested, in his discretion, to negotiate and conclude with the Mexican Government such agreement as may be necessary and appropriate for the extension of the life of the General Claims Commission between the United States and Mexico in order to permit of the hearing, examination, and the decision of all claims coming within the jurisdiction of the said commission under the terms of the said convention of September 8, 1923, and to make such further arrangement as in his judgment may be deemed appropriate for the expeditious adjudication of said claims.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none.

The resolution was considered and agreed to.

INVESTIGATION OF TARIFF COMMISSION

Mr. ROBINSON of Arkansas. Mr. President, by direction of the Select Committee on Investigation of the Proceedings of the Tariff Commission, I desire to submit two resolutions, the purpose of which is to continue the authority of the select committee beyond the present session of the Congress and until the first regular session of the Seventieth Congress.

The committee has had many hearings, which are now being printed. It will not be possible during the remaining days of the present session to prepare and agree upon a report, which the committee regards as the most important part of its work. I therefore ask consideration of the two resolutions, one continuing the authority of the committee and the other having the effect of continuing the funds made available for the use of the committee. No additional funds are desired or required.

Mr. SMOOT. Let the resolutions be read.

The VICE PRESIDENT. The resolutions will be read.

The Chief Clerk read the first resolution (S. Res. 357), as follows:

Resolved, That the resolution (S. Res. 162) authorizing and directing an investigation of the manner in which the flexible provisions of the tariff act of 1922 has been or is being administered, agreed to March 11, 1926, be, and it is hereby, continued in full force and effect until the end of the first regular session of the Seventieth Congress.

Mr. REED of Pennsylvania. Mr. President, I hope the resolution will be agreed to, because, while the committee has completed its hearings, if it endeavored to make its report before the conclusion of this session of Congress, in all likelihood the legislation would lose most of its value because of the haste that would be required to get it together.

Mr. SMOOT. I agree with the statement made by the Senator from Pennsylvania.

Mr. LENROOT. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LENROOT. Did the Senator from Arkansas ask for the immediate consideration of the resolution?

Mr. ROBINSON of Arkansas. I did.

Mr. LENROOT. I have no objection, provided it does not lead to debate.

Mr. ROBINSON of Arkansas. I anticipate that it will not lead to prolonged debate. If it should, I will ask that the resolution go over.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. NORRIS. Mr. President, I would like to make an inquiry. I have forgotten at this moment who are the members of the committee, and I assume that all the members of the select committee will be Members of the Seventieth Congress.

Mr. ROBINSON of Arkansas. The senior Senator from New York [Mr. WADSWORTH], who is a member of the select committee, will not be a member of the next Congress. If he serves on the committee, which I am advised he may be able to do, provided he desires to continue in the service, he will, of course, receive no compensation.

Mr. NORRIS. It rather seems to me that we ought to know about that. I have no objection, of course, to the Senator from New York continuing to serve on the committee, but if there is any question about it authority should be given to fill the place which would be made vacant by his retirement.

Mr. ROBINSON of Arkansas. I am informed that under the resolution which is presented continuing the authority of this committee the Senator from New York may serve on the committee if he chooses to do so. He has not yet determined whether he will desire to serve or not, and I assume that matter will be settled later at the convenience of the Senator from New York.

Mr. REED of Pennsylvania. I think I am justified in saying that the Senator from New York would readily resign if there were any doubt about his authority to stay on the committee. The rest of us who are on the committee have urged him to stay on if he legally can do so.

Mr. NORRIS. I am not making any objection to the Senator from New York remaining on the committee; I would be very glad if he would; but I had forgotten when I asked the question who are on the committee, and it occurred to me that we should not be left in the possible predicament of not having a full committee.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

The VICE PRESIDENT. The Clerk will read the second resolution offered by the Senator from Arkansas.

The resolution (S. Res. 358) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the resolution (S. Res. 178) authorizing the holding of hearings and the employment of clerical assistance by the special committee to investigate the administration of the flexible provision of the tariff act of 1922, agreed to March 22, 1926, be, and it is hereby, continued in full force and effect until the end of the first regular session of the Seventieth Congress.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RANDELL:

A bill (S. 5747) to standardize bales of cotton intended for use in interstate commerce; to the Committee on Agriculture and Forestry.

By Mr. ROBINSON of Indiana:

A bill (S. 5748) authorizing the President to reappoint E. C. Callahan, formerly a captain of Infantry, United States Army, a captain of Infantry, United States Army; to the Committee on Military Affairs.

By Mr. WADSWORTH:

A bill (S. 5749) for the relief of Samuel Gettinger and Harry Pomerantz; to the Committee on Claims.

By Mr. SHORTRIDGE:

A bill (S. 5750) granting an increase of pension to Max Blank; to the Committee on Pensions.

By Mr. JOHNSON:

A bill (S. 5751) for the relief of Ella S. Brown; to the Committee on Claims.

A bill (S. 5752) granting an increase of pension to Julia A. Hart; and

A bill (S. 5753) granting an increase of pension to Mary J. Taggart; to the Committee on Pensions.

By Mr. DALE:

A bill (S. 5754) granting an increase of pension to Eliza C. Lower; and

A bill (S. 5755) granting an increase of pension to Elva M. Averill; to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 5756) granting a pension to Elizabeth E. Wood (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 5757) authorizing the Secretary of War to grant permission to the Port of Portland Commission to close the east channel of Swan Island, Oreg.; to the Committee on Commerce.

By Mr. HAWES:

A bill (S. 5758) granting an increase of pension to Evaline Blair; and

A bill (S. 5759) granting an increase of pension to Ada M. Standish (with accompanying papers); to the Committee on Pensions.

By Mr. NORRIS:

A joint resolution (S. J. Res. 163) providing for the completion of Dam No. 2 and the Steam Plant at Nitrate Plant No. 2 in the vicinity of Muscle Shoals, Ala., and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. BINGHAM:

A joint resolution (S. J. Res. 164) to establish a Joint Commission on Insular Reorganization; to the Committee on Territories and Insular Possessions.

TITLE OF COURT OF CUSTOMS APPEALS

Mr. METCALF submitted an amendment intended to be proposed by him to the bill (H. R. 16222) to change the title of the United States Court of Customs Appeals, and for other purposes, which was referred to the Committee on the Judiciary and ordered to be printed.

PUBLIC BUILDINGS IN THE DISTRICT OF COLUMBIA

Mr. McKELLAR submitted an amendment intended to be proposed by him to the amendment of the House of Representatives No. 4 to the bill (S. 4663) authorizing the Secretary of the Treasury to acquire certain lands within the District of Columbia to be used as sites for public buildings, which was ordered to lie on the table and to be printed.

ALIEN PROPERTY ADJUSTMENT

Mr. WADSWORTH submitted an amendment intended to be proposed by him to the bill (H. R. 15009) to provide for the settlement of certain claims of American nationals against Germany and of German nationals against the United States for the ultimate return of all property of German nationals held by the Alien Property Custodian, and for the equitable apportionment among all claimants of certain available funds, which was ordered to lie on the table and to be printed.

EXPORTS OF FARM PRODUCTS

Mr. NYE. I submit a resolution which I ask may be read at the desk and go over under the rule.

The resolution (S. Res. 356) was read, as follows:

Whereas the United States Department of Agriculture in a recent report entitled "The 1927 Agricultural Outlook" said:

"Some improvements in the purchasing power of foreign countries for agricultural products of 1927 may be expected, but it is probable that larger foreign production of breadstuffs, fruits, and animal products will reduce foreign demand for our exportable surpluses of these products; and

"Cotton production must be curtailed drastically the coming season to restore the balance between consumption and supply at remunerative prices to growers. With average yields a reduction of about 30 per cent in acreage appears necessary to give growers the best gross returns for the 1927 crop"; and

Whereas the Department of Commerce reports that during the calendar year 1926 the value of crude foodstuffs and food animals and manufactured foodstuffs exported was \$53,565,000 less than during the calendar year 1925, but the value of finished manufactures exported was \$112,784,000 larger in 1926 than in 1925: Therefore be it

Resolved, That the Secretary of Agriculture be requested to inform the Senate at his earliest convenience the chief causes, in his mind, for the reduction in the value of exports of farm products in crude and finished form, what measures the Department of Agriculture is using to stimulate foreign consumption of American farm products, and what cooperation, if any, the department receives from other governmental agencies in doing this; and if, in his judgment, it is probable that in the next few years there will be a greater demand for American farm products at a price remunerative to the producers, or whether higher prices American farmers might receive for their staple products will encourage a larger production thereof.

The VICE PRESIDENT. The resolution will go over under the rule.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated below:

H. R. 1691. An act for the relief of Henry F. Downing; to the Committee on Naval Affairs.

H. R. 16183. An act granting relief to Thomas M. Livingston; to the calendar.

H. R. 11929. An act to authorize the Secretary of the Interior to sell to Sylvester Troth Smith, Horace Smith, Robert Hill Smith, Mary Smith De Jean, Mary Ellen Smith, and W. C. Scott, in possession under mesne conveyances from Leroy Stafford, section 48, township 1 south, range 2 east, and section 33, township 2 north, range 2 east, Louisiana meridian, Rapides Parish, La.; and

H. R. 15018. An act validating certain applications for and entries of public lands; to the Committee on Public Lands and Surveys.

H. R. 9211. An act to prescribe certain of the qualifications of voters in the Territory of Alaska, and for other purposes;

H. R. 16952. An act to ratify and confirm Act No. 3243 of the Philippine Legislature, approved November 27, 1925; and

H. J. Res. 99. Joint resolution for the relief of a special disbursing agent of the Alaskan Engineering Commission (the Alaska Railroad); to the Committee on Territories and Insular Possessions.

H. R. 1133. An act for the relief of John G. Pauley;

H. R. 1141. An act to correct the military record of John Dewitt Marvin;

H. R. 1842. An act for the relief of John Costigan;

H. R. 5449. An act for the relief of James E. Westcott;

H. R. 5548. An act to correct the military record of Clarence G. Stonestreet;

H. R. 5642. An act for the relief of David E. Goodwin;

H. R. 7153. An act authorizing the President to appoint J. H. S. Morison to the position and rank of major, Medical Corps, in the United States Army;

H. R. 7540. An act for the relief of Edward F. Weiskopf;

H. R. 9318. An act authorizing the President to appoint James B. Dickson a second lieutenant of the Air Service in the Regular Army of the United States;

H. R. 9666. An act to correct the military record of Owen J. Owen;

H. R. 9738. An act to correct the military record of Richard Brannan;

H. R. 10380. An act to remove the charge of desertion against Israel Brown and to grant him an honorable discharge;

H. R. 10953. An act for the relief of William Perkins;

H. R. 11110. An act for the relief of George Caldwell;

H. R. 11542. An act for the relief of James M. Winston;

H. R. 12038. An act to correct the military record of Edward Delaney;

H. R. 12569. An act for the relief of Thomas F. Nicholas;

H. R. 12859. An act for the relief of Thomas Murphy;

H. R. 12903. An act for the relief of Abraham H. Tompkins;

H. R. 12936. An act for the relief of Bert H. Libbey, alias Burt H. Libbey;

H. R. 12963. An act for the relief of Adam B. Ackerman, alias Aunkerman;

H. R. 13004. An act for the relief of John G. Cassidy;

H. R. 14591. An act authorizing the President to appoint William V. Pruett to the position and rank of major, Medical Corps, in the United States Army;

H. R. 14794. An act for the relief of Daniel Mangan;

H. R. 14895. An act to provide for the reinstatement of Warren M. Hendricksen in the United States Military Academy;

H. R. 15253. An act for the relief of certain officers and former officers of the Army of the United States;

H. R. 15432. An act to correct the military record of Curtis P. Wise;

H. R. 15624. An act for the relief of Andrew McLaughlin;

H. R. 15863. An act for the relief of the widow of Warren V. Howard; and

H. R. 16155. An act for the validation of the acquisition of Canadian properties by the War Department and for the relief of certain disbursing officers for payments made thereon; to the Committee on Military Affairs.

H. R. 724. An act for the relief of Capt. Norman D. Cota;

H. R. 780. An act for the relief of J. S. Corbett;

H. R. 1595. An act for the relief of Fannie Kravitz;

H. R. 2589. An act for the relief of Archie O. Sprague;

H. R. 2718. An act for the relief of M. F. Snider;

H. R. 3295. An act for the relief of Sherman P. Browning;

H. R. 4321. An act authorizing the redemption by the United States Treasury of 20 war-savings stamps (series of 1918) now held by Dr. John Mack, of Omaha, Nebr.;

H. R. 5089. An act for the relief of Christine Mygatt;

H. R. 5921. An act for the refund of money erroneously collected from Thomas Griffith, of Peach Creek, W. Va.;

H. R. 6057. An act for the relief of George Boiko & Co. (Inc.);

H. R. 8477. An act for the relief of Frank J. Dwyer;

H. R. 8739. An act for the relief of Lim Toy, of the city of Boston, Mass.;

H. R. 9063. An act for the relief of Marie Yvonne Gueguinou;

H. R. 9163. An act for the relief of Margaret T. Head;

H. R. 9226. An act to reimburse Dr. Philip Suriani;

H. R. 9427. An act for the relief of Gilbert B. Perkins;

H. R. 9515. An act for the relief of R. P. Biddle;

H. R. 9804. An act for the relief of the Pacific Steamship Co., of Seattle, Wash.;

H. R. 10422. An act for the relief of William J. O'Brien;

H. R. 10447. An act for the relief of First Lieut. Walter T. Wilsey;

H. R. 10496. An act for the relief of John A. Thornton;

H. R. 11064. An act for the relief of R. W. Hilderbrand;

H. R. 11852. An act for the relief of M. Tillery and Mrs. V. D. Tillery;

H. R. 12334. An act for the relief of W. Randall Spurlock;

H. R. 12388. An act for the relief of K. I. Ward;

H. R. 12404. An act for the relief of Shadyside Bank;

H. R. 12818. An act for the relief of Charles Beretta, Isidore J. Proulx, and John J. West;

H. R. 13143. An act for the relief of the Charlotte Chamber of Commerce and Capt. Charles G. Dobbins, Army disbursing officer;

H. R. 13144. An act for the relief of the Sanitarium Co., of Portland, Oreg.;

H. R. 13971. An act for the relief of Ruth J. Walling;

H. R. 14071. An act for the relief of Garfield Hankins;

H. R. 14179. An act for the relief of Roland M. Baker;

H. R. 15252. An act to provide relief for certain natives of Borongan, Samar, P. I., for rental of houses occupied by the United States Army during the years 1900 to 1903;

H. R. 16058. An act for the relief of certain officers of the Army of the United States; and

H. R. 16442. An act for the relief of Ira E. King; to the Committee on Claims.

RETIREMENT OF DISABLED ARMY OFFICERS

Mr. TYSON. Mr. President, I ask unanimous consent to have inserted in the Record an editorial from the Disabled American Veterans' Semi-Monthly, of the issue of January 22, 1927, entitled "Disabled Army officers."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

DISABLED ARMY OFFICERS

It was never the wish or intention of either the American people or its representatives in Congress to overlook the just claims of any of its fighting men who suffered for their country in the World War. If there be some deserving of relief who have failed to receive it the failure has sprung from want of thought and not from want of heart.

Apparently a number of disabled emergency Army officers, either through the snarls of official red tape or because their claims have not been dramatically presented, have failed to receive justice at the hands of Congress. Eight classes of disabled veterans have been retired on pensions, but the ninth class, the disabled Army officers, are still waiting for relief.

Bills have been introduced from time to time to provide retirement privileges for these neglected heroes of the World War. Twice such bills have passed the Senate to fail of passage in the House.

Senator Tyson and Representative Fitzgerald have bills now pending in Congress to remove this doubtless unintentional discrimination against one of the bravest bands of patriots that ever worthily upheld the traditions of the American Army. There should be no difficulty in persuading the present House to redress this wrong if the claims of these neglected veterans are presented with the indorsement of a Nation grateful for, and not unmindful of, their consummate sacrifice.

In convention assembled the Disabled American Veterans has repeatedly indorsed and approved this just legislation. Never before has our support been needed greater. Every chapter, every member, and every department must get busy.

Your active assistance will mean a great deal to the disabled emergency officers.

PUBLIC BUILDINGS IN THE DISTRICT OF COLUMBIA

The VICE PRESIDENT. The morning business is closed.

Mr. LENROOT. Mr. President, I move that the Senate proceed to the consideration of the House amendments to Senate bill 4663, known as the public buildings bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Wisconsin.

Mr. McKELLAR. Mr. President, do I understand that the Senator moves that that be done?

Mr. LENROOT. I do.

The VICE PRESIDENT. The motion is not debatable. The question is on the motion of the Senator from Wisconsin.

The motion was agreed to; and the Vice President laid before the Senate the amendments of the House of Representatives to the bill (S. 4663) authorizing the Secretary of the Treasury to acquire certain lands within the District of Columbia to be used as sites for public buildings, which were, on page 1, line 10, after "1926," to insert "as amended"; on page 2, line 11, after "1926," to insert "as amended"; on page 2, line 12, after "act," to insert "as amended"; on page 2, after line 14, to insert the following:

SEC. 3. (a) The first paragraph of section 5 of the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926, is amended to read as follows:

"SEC. 5. For the purpose of carrying out the provisions of this act the sum of \$250,000,000, in addition to the amount authorized in section 3 hereof, is hereby authorized to be appropriated, but under this authorization, and from appropriations (exclusive of appropriations made for 'remodeling and enlarging public buildings'), heretofore made for the acquisition of sites for, or the construction, enlarging, remodeling, or extension of public buildings under the control of the Treasury Department, not more than \$35,000,000, in the aggregate, shall be expended annually (except that any part of the balance of such sum of \$35,000,000 remaining unexpended at the end of any year may be expended in any subsequent year without reference to this limitation): *Provided*, That such amount as is necessary, not to exceed \$50,000,000 of the total amount authorized to be expended under the provisions of this act, shall be available for projects in the District of Columbia, and not more than \$10,000,000 thereof shall be expended annually (except that any part of the balance of such sum of \$10,000,000 remaining unexpended at the end of any year may be expended in any subsequent year without reference to this limitation): *Provided*, That at least one-fifth of the expenditures outside of the District of Columbia during the fiscal year 1927 shall be for the buildings heretofore authorized and at least one-fifth of the expenditures for the fiscal year 1928, and at least one-fifth of the expenditures for the fiscal year 1929, shall be for a like purpose unless a less amount shall be necessary to complete all of such buildings: *Provided further*, That expenditures outside the District of Columbia under the provisions of this section shall not exceed the sum of \$5,000,000 annually in any one of the States, Territories, or possessions of the United States."

(b) The last paragraph of such section 5 is amended by striking out "\$150,000,000" and inserting in lieu thereof "\$250,000,000."

And to amend the title so as to read: "Authorizing the Secretary of the Treasury to acquire certain lands within the District of Columbia to be used as sites for public buildings, and for other purposes."

Mr. McKELLAR. Mr. President, on May 25, 1926, Congress passed a bill for public buildings, section 4 of which provides as follows:

The Secretary of the Treasury shall submit annually and from time to time as may be required estimates to the Bureau of the Budget, in accordance with the provisions of the Budget and accounting act, 1921, showing in complete detail the various amounts it is proposed to expend under the authority of this act during the fiscal year for which said estimates are submitted, which shall include a statement of the location of the buildings proposed to be erected, together with a limit of cost for the same.

I ask Senators to listen to this proviso:

Provided, That in submitting such estimates the Secretary of the Treasury shall allocate the amounts proposed to be expended to the different States where buildings are found by him to be necessary, in such a manner as to distribute the same fairly on the basis of area, population, and postal receipts.

The Secretary of the Treasury, instead of proceeding in accordance with the mandate of the Congress, sought legal advice from an Assistant Attorney General, who apparently has advised him that this provision of the law is nugatory, and that he does not have to follow it.

I call the attention of Senators to the opinion delivered to the Hon. Carl T. Schuneman on January 19 of this year, as found on page 3942 of the *Record* of yesterday. I want to read that opinion. It is a very significant document. The Assistant Attorney General not only strikes out the three important provisions of the act I have read, but he adds to the provisions of Congress. He substitutes another provision of his own. Before I read the opinion, I want to say that the result is that instead of allocating the money in accordance with the law passed by Congress, the Secretary allocates the money in accordance with his own views, without let or hindrance, or regard to the law, with the result that it is not distributed in accordance with

area, population, and postal receipts at all, but it is allocated just as the Secretary of the Treasury desires to allocate it. For instance, the method of distribution provided by Congress is disregarded entirely in my own State, and the pitiful sum of \$605,000 is allocated to Tennessee.

Mr. LENROOT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Wisconsin?

Mr. McKELLAR. In just a moment I will yield. Even the sum I have mentioned was not allocated according to the first report, but an amendment was made which included the two post-office buildings that were provided for in the act, which he could not exclude.

I now yield to the Senator from Wisconsin.

Mr. LENROOT. I would like to ask the Senator if it is not a fact that the State of Tennessee has 25 post offices with receipts in excess of \$20,000 per year, and already has 23 public buildings for those 25 post offices?

Mr. McKELLAR. I have not examined into the matter. The Senator may be correct about that; but that does not affect this question. There is a report on Memphis showing an urgent need for a new Federal building. What I am maintaining is this, that the Congress has directed a plan by which this money shall be allocated. The Secretary of the Treasury is disregarding that plan, and my own idea is that the Congress should in no uncertain terms dispose of this opinion of the Attorney General, in which he disregards entirely the provisions of the act of Congress. I now read:

DEPARTMENT OF JUSTICE,
Washington, D. C., January 19, 1927.

To the Hon. CARL T. SCHUNEMAN,

Assistant Secretary of the Treasury, Washington, D. C.

DEAR MR. SCHUNEMAN: In accordance with the suggestion made to me at the conference this morning at your office, which I attended on behalf of the Attorney General, I am submitting herewith an informal memorandum—

I do not know the difference between a "formal" and an "informal" opinion, but evidently there must be some difference. Perhaps it will appear from the opinion itself.

I am submitting herewith an informal memorandum incorporating the substance of the oral opinion which I gave at some length as to the construction of certain provisions of the act of Congress approved May 25, 1926, and entitled "An act to provide for construction of certain public buildings, and for other purposes."

The provisions involved deal with the question of the submission of estimates by the Secretary of the Treasury to the Bureau of the Budget, as provided in section 4 of the act, and constitutes the first proviso, which, with the preceding part of the section, reads as follows:

"The Secretary of the Treasury shall submit annually, and from time to time as may be required, estimates to the Bureau of the Budget, in accordance with the provisions of the Budget and Accounting Act, 1921, showing in complete detail the various amounts it is proposed to expend under the authority of this act during the fiscal year for which said estimates are submitted, which shall include a statement of the location of the buildings proposed to be erected, together with a limit of cost for the same: *Provided*, That in submitting such estimates the Secretary of the Treasury shall allocate the amounts proposed to be expended to the different States where buildings are found by him to be necessary, in such a manner as to distribute the same fairly on the basis of area, population, and postal receipts."

The conference developed some differences of opinion as to the scope and meaning of these words.

From a consideration of the entire act it seems to me that the legislative intent is apparent and that the problem can be solved by a study of the bill alone and without the necessity of resort to congressional debates or other outside help.

I digress here long enough to say, or without resort to any other help than that of an Assistant Attorney General, this proviso in the public buildings act is cut out of the act by the Assistant Attorney General, and the board thereafter makes its allocations without regard to that act.

I continue to read:

In dealing with the manner of the expenditure of moneys appropriated for use without the District of Columbia and excluding the provisions of section 3, it is apparent that Congress approached the question from two points of view. The first approach involved a determination by Congress itself of minimum requirements for public buildings, and in this connection it was provided that each State should be allotted two such buildings, regardless of any question of the relative needs of the individual States. This constituted an assurance that at all events each would start on more or less of an equal footing with every other State in participation in the benefits of the measure.

It was very kind of him to permit the two buildings to each State. He did not overrule Congress in reference to that pro-

vision. He is still willing to abide by the will of Congress in regard to that, and therefore in his allotment to Tennessee he gave Kingsport \$85,000 and McMinnville \$75,000 out of the \$100,000,000 appropriation.

In the second approach, and over and above the minimum needs legislatively determined and provided for as explained, Congress has deferred to the judgment and decision of the Secretary of the Treasury as to the manner of disbursing the balance of the appropriation and in that connection has vested him with wide discretionary powers. Congress, however, has not left the matter entirely to a judgment uncontrolled by any legislative standards or suggestions as to congressional purpose. While the power is unquestionably conferred on the Secretary of the Treasury, the discretion involved is nevertheless controlled by the provisions of section 4, appearing in the first proviso, and appears in the following words:

"That in submitting such estimates the Secretary of the Treasury shall allocate the amounts proposed to be expended to the different States, where buildings are found by him to be necessary, in such a manner as to distribute the same fairly on the basis of area, population, and postal receipts."

In the first place, the allocation is to be by States and is to be in accordance with their respective necessities to be "found by him." Congress has refrained from defining the precise connotation of this term as used in the statute and has expressly left to the Secretary of the Treasury, not only a determination of the existence of the necessity, but likewise of the extent and scope thereof, thereby making him the sole judge in respect thereto. While the discretion thus conferred is a wide one, doubtless it is subject, in its exercise, to rational judgments and reasonable decision.

Having determined the respective necessities of the several States in respect to the need for the type of public buildings for which the appropriation was provided, the next question for the Secretary to consider is the satisfaction of these necessities. Congress contemplated, of course, a situation in which the necessities as existing and determined would exceed in their monetary requirements the amount appropriated and that after the allocation of the entire amount available there would doubtless remain a large residuum of unsatisfied necessities. In other words, Congress contemplated the fact that the Secretary of the Treasury would be required to make a determination as to how money, insufficient to satisfy the whole, would be apportioned between the competing necessities.

Here, again, the determination is to be in the judgment of the Secretary, but he has been afforded by Congress certain standards by which his discretion is to be exercised, and it is provided that the distribution in the latter contingency be "in such a manner as to distribute the same fairly on the basis of area, population, and postal receipts."

I want to call especial attention to this statement:

Doubtless there can be read into this provision the words "so far as applicable" in deciding this question of fairness.

In other words, they are to be fair so far as fairness, in the opinion of the Secretary, is applicable. They are going to construe the rule of area so far as "it may be applicable," with the Secretary doing as he pleases about it. He holds that they are only to consider postal receipts so far as they may be applicable. If the Secretary wants to distribute them in another way, all right, let him go ahead.

The Secretary is, moreover, directed, in determining what shall be "fair"—a word which affords some latitude for decision—to consider each of the three elements referred to.

The first consideration is that of area. In view of the divergent size of the States, one from the other, and the convenience and expense involved in traveling to points where Government facilities are afforded, it was not deemed unreasonable that this element should be considered. Secondly, the question of population to be served is an important item, as necessities of large centers of population much exceed those of communities sparsely inhabited. Doubtless there is conflict between the demands of area and population.

Now, listen to this, Senators:

Doubtless there is conflict between the demands of area and population so that the two are set off, one against the other, out of which a compromise is intended to be effected in the matter of decision which can be fairly characterized as "fair."

He sets off population as against area, and that removes both of them from the consideration of the Secretary, as shown by the report itself, which I shall read in a moment.

The third element is postal receipts. Probably its application is to be wholly or largely confined to the furnishing of buildings designed to serve the Postal Department.

So he does away with that element. He does away with all three of the elements.

Congress has not furnished any artificial measure by which to weigh the agency that each of these considerations is to have with the Secretary of the Treasury. He is to take them all into consideration so far as applicable, and having given them the due weight which, in his judgment, their prominence in the statute entitles them to receive, he is to make his decision as to what is fair and his allocation accordingly.

In other words, having thus disposed of all the limitations upon the Secretary of the Treasury as created by Congress, he says to him, "Go ahead and allocate to suit yourself."

The foregoing construction is deemed to be a "rational and reasonable" one—

Well, it is "rational and reasonable" so far as it permits the Secretary of the Treasury to allocate these moneys just as he pleases, without regard to the Congress or anybody else, with the exception solely that two post-office buildings, however small or however large, must be built in each of the several States.

The foregoing construction is deemed to be a rational and reasonable one, and to place the subject matter on a common-sense basis and to lend itself to a practical and efficient carrying out of the statute. It vests, of course, in the Secretary of the Treasury the sole determination of important questions, but in so doing it very properly leaves these decisions to a department which can look at the matter in a broad and impartial fashion.

I will call attention in a moment to the broad and impartial fashion in which the committee of the Secretary of the Treasury had looked into these matters—

and which has the facilities for collecting and weighing the material and relevant facts which are involved in the determination of the question, first of what is necessary, and then what is fair, guided by the tests suggested. The foregoing is furnished as a matter of courtesy only.

Listen to this!

The foregoing is furnished as a matter of courtesy only and because desired by the entire conference, and is not, of course, to be regarded as a formal legal opinion of the Attorney General furnished in accordance with departmental practice.

Respectfully,

For the Attorney General:

GEORGE R. FARNUM,
Assistant Attorney General.

In other words, here is an opinion which the Secretary of the Treasury and the committee under him accept and act upon, but it must not be regarded as the opinion of the Attorney General! Since when has the Attorney General's office been issuing opinions of that sort? I do not believe the matter has ever come to the attention of the Attorney General himself, and I do not believe he ever would have given such an opinion if it had been submitted to him. I do not believe the Attorney General has the right to make nugatory certain parts of an act of Congress and insert other provisions, as is attempted to be done in this alleged opinion of the Assistant Attorney General.

Now let us see how far the committee or the Secretary of the Treasury have carried out the provisions of Congress that these moneys must be allocated in accordance with area, population, and postal receipts.

Alabama. I notice that the Senator from Alabama [Mr. HEFLIN] stands up when I mention that name. Alabama gets \$570,000 under the appropriation.

Mr. LENROOT. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Wisconsin?

Mr. McKELLAR. I yield.

Mr. LENROOT. If the bill goes through, Alabama will get \$820,000 more.

Mr. McKELLAR. Eight hundred and twenty thousand dollars more, and on the basis of area, population, and postal receipts combined she should get two or three times that much. She certainly would be entitled to not less than \$2,000,000. She is getting less than half of what she is entitled to on the basis fixed by the Congress itself.

Mr. LENROOT. Mr. President, will the Senator yield again?

Mr. McKELLAR. Certainly.

Mr. LENROOT. Under the area basis of 1-1-1-1, which means area being given the same consideration as population and postal receipts, I find that Alabama would get \$1,226,000, which is less than she gets under the bill, and under the basis of 1-2-5-3 Alabama would only get \$914,000.

Mr. McKELLAR. Out of the \$100,000,000 of last year she gets only \$570,000, and that is less than half what she is entitled to under the law. I am using that as an illustration.

I will now take Arizona and I shall be glad to have the Senator from Wisconsin figure out about Arizona. Arizona apparently gets a good deal more than she is entitled to with her small population and big area. Arizona gets \$1,025,000. Just to show how it works out, Arizona, with one Congressman, a sparsely settled State, gets almost twice as much as Tennessee with all her urgent needs.

Mr. LENROOT. On the area basis Arizona would be entitled to \$1,178,000, which is more than she is getting.

Mr. McKELLAR. She is getting \$1,025,000, and she ought to be entitled to what the law gives her. She is not getting this as a matter of favor or anything of that sort. She is entitled to it under the law.

Arkansas gets \$1,570,000. California is a little larger in area and population than Tennessee, and yet California gets \$8,115,000 out of the bill, while Tennessee gets \$605,000. It is not divided in any case according to the law, but it is allocated in accordance with the will of the Secretary of the Treasury without regard to the law. He comes here with an informal opinion of an Assistant Attorney General giving him the power to set aside the act of Congress. Why an "informal" opinion? Why an Assistant Attorney General?

I come next to Colorado, which gets \$1,790,000. Then comes Connecticut. Connecticut is not quite half the size of either North Carolina or Tennessee. What does Connecticut get under the bill? Connecticut gets \$4,515,000.

Mr. BLEASE. What does South Carolina get?

Mr. McKELLAR. As I remember it, South Carolina is larger in area, population, and postal receipts, perhaps, than the State of Connecticut, and we will see what South Carolina gets. South Carolina gets \$710,000.

Mr. FLETCHER. That is on the basis of the \$100,000,000. If the Senator would add the \$100,000,000 as proposed by the later bill, he would find that South Carolina would get more.

Mr. McKELLAR. I do not know what we are going to get under the bill as it is proposed to be handled by the committee, because we have no facts about how it is going to be done. We have a report here that there is \$167,000,000 necessary, and in that report I find no reference to Tennessee at all. I suppose it was left out entirely.

Mr. OVERMAN. How does North Carolina fare?

Mr. McKELLAR. I shall be glad to compare North Carolina with Connecticut. Connecticut, I believe, has four Congressmen and therefore is about two-fifths as large as the State of North Carolina in population. Let us see how North Carolina fares. North Carolina gets \$2,550,000 under the bill. She gets nearly half as much as Connecticut and is better treated than any other Southern State except the State of Virginia and the State of Florida. Florida gets \$2,275,000. My recollection is that Florida is about two-fifths the size of Tennessee, and she gets four times as much of the appropriation.

Somebody has said that the matter is decided upon needs. There are before the department to-day reports from the Treasury Department and from the Post Office Department showing the dire needs of Memphis, the city from which I come. One of the members of the commission said that the needs of that city were not even brought before the commission to be determined. Is it proposed to make this one of the most infamous pork-barrel schemes ever put over? Is it to be handled in this way solely and alone because of the ipse dixit of the Secretary of the Treasury?

Mr. BLEASE. If the Senator will permit me, I would suggest that possibly they are looking for North Carolina and Florida to go Republican.

Mr. McKELLAR. That may be so. I do not know what reason they had; but that is just as good a reason as any other, to deal out these millions from a political standpoint.

I digress here long enough to show what other States are getting. Here is Massachusetts. It is half as large again in population as Tennessee. It has 16 Congressmen to Tennessee's 10. Let us see what she gets. She gets \$7,060,000; and out of the appropriation of \$100,000,000 that we are going to make, if we do make it, she will get \$15,000,000. Under the proposal New York will get \$40,000,000, Pennsylvania will get \$20,000,000; Massachusetts, \$15,000,000—these are all round sums—Illinois, \$15,000,000; California, about the same, \$10,000,000. Is this a pork barrel simply for those in power? Connecticut is to get another large slice out of this appropriation, if it shall go through.

Mr. LENROOT. Mr. President—

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from Tennessee yield to the Senator from Wisconsin?

Mr. McKELLAR. I yield.

Mr. LENROOT. Where does the Senator from Tennessee get his figures?

Mr. McKELLAR. If I have made a mistake in my figures, I ask the Senator from Wisconsin to correct me. He has them before him. I have them only in mind; I have not the exact figures before me.

Mr. LENROOT. I think the Senator has stated that Massachusetts would get \$15,000,000 out of the \$100,000,000?

Mr. McKELLAR. No; I said—

Mr. LENROOT. Out of the next \$100,000,000?

Mr. McKELLAR. If there is any doubt about it, I will turn to page 2 of Document 651, where are given the minimum needs as follows for the States I have mentioned. I want to be absolutely accurate. These figures are:

New York, \$39,040,000; Pennsylvania, \$20,547,000; Massachusetts, \$15,215,000; Illinois, \$16,000,000, even; California, \$10,100,000. These are the minimum needs. But Tennessee is put down at \$600,000.

Mr. FLETCHER. May I interrupt the Senator?

Mr. LENROOT. Will the Senator from Tennessee yield?

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. McKELLAR. I desire to yield to both Senators. I will yield first, however, to the Senator from Wisconsin, and shall afterwards yield to the Senator from Florida.

Mr. LENROOT. The Senator from Tennessee, I suppose, knows that Massachusetts has 74 cities with postal receipts exceeding \$20,000 and only three public buildings, whereas his own State of Tennessee has only 25 cities in that category, and yet has 23 public buildings. Under those circumstances, is the apportionment fair?

Mr. McKELLAR. I am not familiar with what the Senator from Wisconsin states; but I know under the law which directs the Secretary of the Treasury to consider area, population, and postal receipts that that divergence between the \$15,000,000 apportioned to Massachusetts and the \$600,000 apportioned to Tennessee does not exist. The law warrants no such divergence of allocation. It makes no such discrimination. It provides for no such right in the Secretary to give out this money as he sees fit.

The Secretary of the Treasury has taken it upon himself to disregard the law, to be a law upon himself, to arrogate to himself the right to allocate to Massachusetts, which is not so large as Tennessee in area, the sum of \$15,000,000, and to give to Tennessee only \$605,000.

Mr. SHORTRIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from California?

Mr. McKELLAR. I do.

Mr. SHORTRIDGE. According to the estimate of the Senator from Tennessee, how much does he contend should be allowed to Tennessee?

Mr. McKELLAR. I contend that Tennessee, if I can secure it for her, shall have just what the law allows. I contend that the allowance should be made to her according to area, population, and postal receipts. That is the plan which has been adopted in the allocation of Federal funds to road building, and it ought not to be departed from here. It has worked splendidly so far as roads are concerned. Why should a different principle be adopted in the allocation of money for the erection of public buildings? Congress, in road building, thought it was a good policy. Why should it now be departed from in this law? The Secretary of the Treasury goes to an Assistant Attorney General whom nobody has ever heard of before. I digress long enough to ask here is there a man in the Senate who ever heard of Mr. Farnum—I want to be sure about this—whose informal opinion the Secretary of the Treasury takes? I take it that no Senator has heard of Mr. Farnum or he would have responded to my inquiry. Here was an informal opinion—not an opinion of the Attorney General's office but a memorandum of opinion—an informal opinion which set aside the law of Congress and enables the Secretary to make a law of his own. He might as well—

Mr. SHORTRIDGE. Mr. President—

Mr. McKELLAR. Just one moment. The Senate will remember that last year we had a fight over this very matter when the bill was before the Senate, and the Senator on the other side in charge of the bill—Senator Fernald, who, unfortunately, has since died—agreed to this allocation. It was understood by the Congress that the allocation was to be made according to these three rules.

Mr. LENROOT. Mr. President, will the Senator yield to me?

Mr. McKELLAR. But they have been disregarded. We might just as well have left the matter in the hands of the

Secretary of the Treasury without let or hindrance to distribute the money just where he pleased.

I now yield to the Senator from California [Mr. SHORTRIDGE], and I shall afterwards yield to the Senator from Wisconsin.

Mr. SHORTRIDGE. Will the Senator from Tennessee be good enough to indicate how much he thinks should have been allocated or set apart for his State of Tennessee?

Mr. McKELLAR. My recollection is—I have not the figures before me—that the amount should have been something like \$2,000,000.

Mr. LENROOT. The amount was \$1,349,000.

Mr. McKELLAR. That was for last year. How much should it be for this year?

Mr. LENROOT. Based upon area—

Mr. McKELLAR. I know; but what would it be if based upon all three—area, population, and postal receipts?

Mr. LENROOT. I say based upon area, giving equal weight to area, Tennessee would have \$1,349,000.

Mr. McKELLAR. It is more than that when the rule laid down in the law as to area, population, and postal receipts is applied. When that rule is applied, my recollection is that it is a little less than \$2,000,000.

I wish to be perfectly frank about it. I do not propose to have my State to be thus deprived of what the law gives her. If I can help it, I am not going to have any such discrimination, and I think I can help it.

Mr. FLETCHER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Florida?

Mr. McKELLAR. I yield.

Mr. FLETCHER. Not that it is very material, but so that the Record may be kept straight, the Senator has alluded to the amount allocated to Florida as \$2,775,000 according to Document 710. I will call attention to the fact that Florida, so far as area is concerned, is the largest State east of the Mississippi River except Georgia. There is only one State east of the Mississippi River which is larger than Florida. I call attention to the further fact that, whereas itemized in the amount is Miami with \$1,850,000, if the Senator will turn to the last page of that document it will be seen that Miami already has a post-office site and building which the Government proposes to sell, the proceeds of which sale are estimated at \$1,200,000; so that the Government would have to expend in the case of Miami only about \$600,000 instead of \$1,800,000.

Mr. McKELLAR. Mr. President, whether the Senators from Florida have obtained a fair deal for Florida and the two Senators from Virginia have obtained, as they apparently have, a fair deal and a little better for Virginia, or whether some other States, through influences concerning which I do not know, have obtained more than a fair deal, I am not complaining of what other States are getting or what they will receive except in the case of my own State; but I wish to say that we passed a law on this subject, and I intend for that law to be lived up to if it is possible for me to have it lived up to.

Mr. OVERMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from North Carolina?

Mr. McKELLAR. I yield.

Mr. OVERMAN. The item of postal receipts enters into the calculation, does it not?

Mr. McKELLAR. It does, of course, or should; but the Secretary has overruled the law.

Mr. OVERMAN. Are there enough cities in the Senator's State whose postal receipts are above \$20,000 to warrant the erection of public buildings in Tennessee to the extent the Senator indicates?

Mr. McKELLAR. Of course there are.

Mr. OVERMAN. There are, as I understand, 25 cities in the State of Tennessee which have been provided for. How many cities outside of those 25 have postal receipts in excess of the amount which has been fixed to entitle them to public buildings?

Mr. McKELLAR. I wish to call attention to the fact that in my State we have a city—Memphis—of over 200,000 people. There is a post-office building there which is an eyesore to the city. It is built on a lot that the city gave to the Government. It does not contain enough space for one-fourth of the governmental activities in that city, and the Government is paying enormous amounts in rents to provide additional facilities. If the Government should expend the money to erect a real building there sufficient to house all of the Federal activities, it would be saved an enormous sum. There is a report from the Government agent showing the necessity of a new building there, and such a building should be erected there, to cost not less than \$2,000,000. It is an absolute necessity to the Federal service to have such a building there, and that has

been the finding virtually of every inspector who has examined into the situation. Yet I went down to see the members of the commission—none of them, as I believe, had ever looked into the matter, except Mr. Wetmore, and he had nothing to say about it except that they were not going to do anything for that city.

Although there was a report of the Treasury Department and a report of the Post Office Department I doubt if some of the members of the commission had ever heard of the proposition being submitted, and, although we have been fighting for it for years, and it is absolutely necessary, the Secretary of the Treasury, or his committee, absolutely disregarded it. While I dislike to fight bills that some Senators may want, in all frankness I do not believe the Senate will take the position that my State ought to be discriminated against. I would not take the position that other States ought to be discriminated against. It is a question of right; it is a question of legal duty; it is a question of the Secretary of the Treasury violating his duty in undertaking to set aside, upon the opinion of an Assistant Attorney General, an act of Congress and interpolating into the act words that it does not contain.

Now, Mr. President, I ask the Senator from Wisconsin if he expects to get a vote on this bill to-day?

Mr. LENROOT. I hope so.

Mr. McKELLAR. I will say to the Senator he can not get a vote to-day, because there are amendments that ought to go into this bill. I have not the amendments before me, have not yet prepared them, but if the Senator will be willing to accept them I should be very glad.

Mr. LENROOT. May I ask the nature and substance of the amendments?

Mr. McKELLAR. One amendment is to make absolutely certain that the \$100,000,000 that we are now going to authorize to be appropriated shall be allocated in accordance with the express will of Congress, namely, that he must consider area, population, and postal receipts.

Mr. LENROOT. Mr. President, does the Senator insist that he must consider those items upon some mathematical basis?

Mr. McKELLAR. Of course.

Mr. LENROOT. Does the Senator know that if he did that it would absolutely violate and render nugatory other provisions of the bill?

Mr. McKELLAR. If that be the case, we ought to change the other provisions of the bill. We want to establish the same rule in the case of the authorization for construction of public buildings that we have established in the legislation which has to do with Federal aid to roads.

Mr. LENROOT. But does the Senator believe that we should construct public buildings where public buildings are not needed simply because of the area of some States?

Mr. McKELLAR. Indeed, I do not; but I want to say to the Senator that I think when the Secretary of the Treasury is directed to consider the interest of all the States but refuses to consider the interests of one of the States, Congress ought to see to it that justice is done to the State or States discriminated against, and, so far as I am able to have it do so, I am going to see that justice is done my State. I am not here complaining of any other State or speaking for or against any other State, but I am here fighting for the rights of Tennessee, and I am going to say to the Senator unless some such amendment as I have to suggest is agreed to I shall continue my opposition to this bill, using every legitimate and proper method to secure for Tennessee her rights under the law.

Mr. HEFLIN addressed the Senate. After having spoken for 15 minutes,

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is the report of the committee of conference on the bill (H. R. 9971) for the regulation of radio communications, and for other purposes.

Mr. HEFLIN resumed his speech. After having spoken, in all, for over three hours and a half, he said:

Now, Mr. President, if the Senator from Kansas [Mr. CURTIS] wishes to adjourn until to-morrow, I am willing to yield the floor.

Mr. CURTIS. We desire to have an executive session; but I would not like to say that the Senator from Alabama could have the floor to-morrow.

Mr. HEFLIN. I do not ask to have the floor to-morrow. I will get it if I want it.

[Mr. HEFLIN's speech will be published entire when completed.]

EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 17 minutes p. m.) the Senate took a recess until to-morrow, Friday, February 18, 1927, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 17, 1927

DIPLOMATIC AND FOREIGN SERVICE

AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARY

Robert Woods Bliss to be ambassador extraordinary and plenipotentiary to Argentina.

Hugh S. Gibson to be ambassador extraordinary and plenipotentiary to Belgium; also envoy extraordinary and minister plenipotentiary to Luxemburg.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY

William Phillips to be envoy extraordinary and minister plenipotentiary to the Dominion of Canada.

To be secretaries

Joseph F. McGurk.	Edwin Schoenrich.
Clayson W. Aldridge.	David Williamson.
Harvey S. Gerry.	Allan Dawson.

MEMBER OF INTERSTATE COMMERCE COMMISSION

Ezra Brainerd, jr., to be a member of the Interstate Commerce Commission.

COLLECTOR OF CUSTOMS

John W. Robbins to be collector, customs collection district No. 46, Omaha, Nebr.

UNITED STATES COAST GUARD

To be ensigns

Henry T. Jewell.	Frank Tomkiel.
Frank E. Pollio.	Kenneth A. Coler.
Donald F. de Otte.	Henry J. Betzmer.
John H. Martin.	George C. Whittlesey.
Irving E. Baker.	Beverly E. Moodey.
Gordon A. Littlefield.	John A. Fletcher.

POSTMASTERS

CALIFORNIA

James C. Tyrrell, Glass Valley.
Charles G. Brainerd, Loomis.
Charles S. Graham, Pleasanton.
William Junkans, Redding.
Leonard G. Hardy, jr., South San Francisco.
Nana M. Halferly, Tujunga.
Anna R. Armstrong, Woodland.

GEORGIA

Ralph A. Waters, Alpharetta.
Samuel J. Padgett, Coffee.
John L. Callaway, Covington.
Hiram R. Hancock, Maysville.
George H. Ray, Norwood.
Marie E. Harrell, Pearson.
William B. Smith, Tennille.
Will C. Woodall, Woodland.

HAWAII

William I. Wells, Haiku.
Douglas E. Baldwin, Kahuku.
Kenichi Masunaga, Kealia.
Paul Kaelemakule, Kohala.
Carl H. F. Spillner, Makaweli.
Lee Loon, Pahala.
Alexander Moir, Papaikou.

ILLINOIS

Robert B. Marshall, Capron.
William S. Brownlow, Chapin.
Levi H. Perryman, Cowden.
Samuel H. Lawton, Delavan.
William M. Karr, Flora.
Edward S. Breithaupt, Gifford.
John E. Nelson, Hamburg.
Fannie Hicks, Ivesdale.
Fred L. McCracken, Lake Forest.
Edward F. Davis, New Berlin.
Herman Meyer, Niles Center.
Davis S. Cossairt, Potomac.
Mary A. Barkmeier, San Jose.
William A. Bussert, Sheldon.
George A. Roberts, Staunton.

George J. Duncan, Villa Grove.
Emery S. Wald, Winchester.
Sylvester H. DePew, Zion.

INDIANA

Andrew G. Kauffman, Atlanta.
Lewis A. Graham, Decatur.
John M. Sweeney, Dugger.
John Stahl, Lawrenceburg.
William G. Hays, Terre Haute.
Addison N. Worstell, Valparaiso.
Dehn P. Keller, Warren.

KENTUCKY

Mabel K. Kipping, Carrollton.
Jewell S. Webb, Earlington.
Allie H. Gibson, Ghent.
Samuel W. Crump, Glasgow Junction.
Addie Elliott, Glencoe.
Lucille C. Yates, Grayson.
Carl B. Marshall, Lewisburg.
Walter W. Crick, Madisonville.
Elzie T. Wilson, Sparta.
Eugene C. Stockwell, Trenton.
Henry Hall, Waynesburg.
Harvey B. Ogden, Worthville.

LOUISIANA

Charles E. Burch, Roseland.

MARYLAND

Irving S. Biser, Frederick.

MASSACHUSETTS

Joseph V. Curran, Attleboro.
Nathaniel P. Coleman, Hyannis.
Henry T. Maxwell, Millbury.
Elizabeth B. Flint, North Attleboro.
Howard M. Douglas, Plymouth.
Josephine E. Dempsey, South Ashburnham.

MINNESOTA

Mary E. Stark, Buffalo.
Claus H. Lepler, Clara City.
Lottie A. Samuelson, Grasston.
Edwin H. Anderson, Monticello.

MISSOURI

J. Orville Gochbauer, Belton.
I. Scott Jones, Bonne Terre.
Abraham B. Peters, Bonnots Mill.
William R. Lytle, Fredericktown.
Owen S. Randolph, Gideon.
Thomas J. Richardson, Koshkonong.
Albert R. Lebold, Lawson.
Melvin Lutes, Lutesville.
Lewis M. Gamble, Mexico.
Fred A. Grebe, New Florence.
Charles Litsch, Perryville.
Joseph V. Forst, Sillex.
Alpha De Berry, Stoutland.
William F. Meier, Wentzville.

MONTANA

George R. Moshier, Baker.
Jennie W. Chowning, Ennis.
John W. Calfee, Frazer.
Andrew Kolnitchar, Geraldine.
Harvey St. J. Cannon, Kallispell.
Wilfred J. Hazelton, Townsend.
Samuel P. Eagle, West Yellowstone.

NORTH CAROLINA

Theophilus H. McLeod, Buies Creek.
Robert D. Herndon, Chapel Hill.
Walter G. Gay, Farmville.
Samuel W. Watts, Southport.
Lunda V. Owen, Winton.

OHIO

T. Howard Sapp, Bainbridge.
Herbert O. Tinlin, Carrollton.
Alexander M. Renick, Chillicothe.
Harry A. McConnell, Dorset.
James W. McHenry, Elyria.
John P. Cramer, Fredericksburg.
Paul H. Clark, Junction City.
Henry W. Gruver, Miamisburg.
Hylas L. Vesey, Perry.
John M. Washington, Sabina.
Pearl H. Cheney, South Charleston.

Clyde S. Perfect, Sunbury.
William S. Kindle, Thornville.

PENNSYLVANIA

Whitfield Pritchard, Bangor.
Charles E. Taylor, Columbia.
Walter V. Dingman, Milford.
Jennie A. App, Schaefferstown.
John D. Williams, Shoemakersville.
Wallace C. Dobson, Southampton.
Anthen C. Messinger, Tatamy.
Hugh T. Williams, Union Dale.
Russell C. Parry, Walnutport.

WASHINGTON

Mary G. Wilkinson, Auburn.
Alonzo E. Emerson, Ellensburg.
Egbert K. Field, Ferndale.
Cecil E. Haasze, Grandview.
Charles R. Bockmier, Granite Falls.
John H. Gibson, Issaquah.
Arthur Bailey, Monroe.
Jessie A. Knight, Shelton.
Clyde J. Backus, Tacoma.
Augustus B. Eastham, Vancouver.

WEST VIRGINIA

Ruth Lewis, Buffalo.
John B. Hilleary, Buckhannon.

WISCONSIN

Harry T. Ketcham, Abbotsford.
Elizabeth Croake, Albany.
Nicholas Hubing, Belgium.
Leon F. Pallister, Brandon.
Ambrose M. Steinwand, Colby.
Albert L. Marsh, Elroy.
Edward Schroeder, Granton.
Stephen S. Summers, Milton.
George B. Keith, Milton Junction.
Carl V. Dahlstedt, Port Wing.
Wilbur H. Bridgman, Stanley.
Joseph E. Kuzenski, Stetsonville.
Adolph C. Sveen, Westby.

HOUSE OF REPRESENTATIVES

THURSDAY, February 17, 1927

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, come Thou to our waiting hearts and minds. Forgive us everything that is unworthy of the holy name we have taken upon our lips. As Thou has set before us high, patriotic tasks may we fulfill them wisely. Bless and direct our whole family of citizens and may they not be led along false ways. O, do Thou help our country in its questions, in the solution of its problems, and even in its fears. Dispel all earth-born clouds and be gracious to every State under the folds of our flag. Show us this day the treasures of Thy wisdom that our directive purpose may be for God and the Republic. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, one of its clerks, announced that the Senate had passed without amendment (H. J. Res. 359) of the following title: Joint resolution making an appropriation for the eradication or control of the European corn borer.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House was requested:

S. 5622. An act authorizing the acceptance by the Navy Department of a site for an aviation training field in the vicinity of Pensacola, Fla., and for other purposes; and

S. 5722. An act to authorize the construction of new conservatories and other necessary buildings for the United States Botanic Garden.

The message also announced February 15 (calendar day February 16), 1927, the Vice President appointed Mr. JONES of Washington and Mr. FLETCHER members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, en-

titled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of Commerce.

The message also announced that the Senate had agreed to the report of the Committee of Conference on the disagreeing votes of the two Houses to the amendments to the amendments of the Senate of the following titles:

H. R. 11615. An act providing for the cession of the State of Virginia of sovereignty over a tract of land located at Battery Cove, near Alexandria, Va.;

H. R. 10728. An act authorizing the Secretary of War to convey to the Association Siervas de Maria, San Juan, P. R., certain property in the city of San Juan, P. R.;

H. R. 16576. An act making appropriations for the Departments of State and Justice, and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1928, and for other purposes;

H. R. 16249. An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1928, and for other purposes; and

H. R. 16863. An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1928, and for other purposes.

The message also announced:

Resolved, That the Senate recede from its amendments numbered 1, 13, 14, 15, 16, and 35 to the bill (H. R. 2) entitled "An act to amend an act entitled 'An act to provide for the consolidation of national banking associations,' approved November 7, 1918; to amend section 5136 as amended; section 5137, section 5138 as amended; section 5142, section 5150, section 5155, section 5190, section 5200 as amended; section 5202 as amended; section 5208 as amended; section 5211 as amended, of the Revised Statutes of the United States; and to amend section 9, section 13, section 22, and section 24 of the Federal reserve act, and for other purposes,";

That the Senate agree to the amendments of the House of Representatives to the amendments of the Senate Nos. 11, 26, 30, 36, 37, 38, and 39 to said bill;

That the Senate agree to the amendment of the House of Representatives to the amendment of the Senate to the title of said bill.

ENROLLED BILL

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House with the following title, which was thereupon signed by the Speaker:

H. R. 11803. An act to authorize the incorporated town of Juneau, Alaska, to issue bonds for the construction and equipment of schools therein, and for other purposes.

WORLD WAR VETERANS' ACT

Mr. EVANS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter written by myself to the Veterans' Bureau concerning some compensation cases.

The SPEAKER. The gentleman from Montana asks unanimous consent to extend his remarks in the RECORD by printing a letter written by himself to the Veterans' Bureau. Is there objection?

There was no objection.

Mr. EVANS. Mr. Speaker, I desire to read into the RECORD a letter recently addressed by myself to the Director of the Veterans' Bureau pertaining to a group of young men who are now denied compensation under the World War veterans' act. This letter is not published in a spirit of criticism of the Veterans' Bureau or anyone else, but it is given to Congress for the information of its Members and to the end that a great injustice to a group of young men may be corrected. I have been unable to ascertain whether this injustice flows from the provisions of the law or from an interpretation of the law by those who execute it, but in any event I feel that an injustice is being done, and for that reason am calling attention to the matter in the hopes that the ruling may be changed or the law itself on the subject modified.

The letter is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., February 3, 1927.

Re: Joseph J. Ball.

Serial No. 12473. Case No. 156443.

THE DIRECTOR, VETERANS' BUREAU,
Washington, D. C.

DEAR SIR: Referring to the case of Veteran Joseph J. Ball, of Avon, Mont., now confined in a hospital for the insane at Sheridan, Wyo., where he has been for the past 18 months, I beg to ask for a review of this man's case.